

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

CIS:PKP:eh
F. #750402

75- 6076

exhibit Vol.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BAY RIDGE ACTION COMMITTEE, INC., :
VINCENT DeANGELIS, FELIX CUCURU,
and PAUL LANG,

Civil Action
No. 75 C 477

Plaintiffs, :

- against -

THOMAS EKELAND, GEORGE ADAMS, HOWARD SMITH, SHORE HILL DEVELOPMENT FUND CORP., SHORE HILL HOUSING, INC., LU-MED HOUSING, INC., LUTHERAN MEDICAL CENTER, INC., NEW YORK CITY DEPARTMENT OF CITY PLANNING and JOHN ZUCCOTTI, as CHAIRMAN of the CITY PLANNING COMMISSION OF THE CITY OF NEW YORK, THE NEW YORK STATE HOUSING FINANCE AGENCY and HON. LEE GOODWIN as Commissioner, NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL, S. WILLIAM GREEN as REGIONAL ADMINISTRATOR, U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, and HON. CARLA A. HILLS as SECRETARY, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,

Defendants. :

AFFIDAVITS AND EXHIBITS OF
DEFENDANTS HILLS AND GREEN

DAVID G. TRAGER
United States Attorney
Eastern District of New York
Attorney for Federal Defendants
225 Cadman Plaza East
Brooklyn, New York 11201

PROSPER K. PARKERTON
Assistant United States Attorney

- d. HUD Form ECO-1 was prepared by the sponsor on February 7, 1974, and filed by the applicant March 11, 1974, to provide environmental information.
- e. An independent evaluation of the project was made on the basis of:

h. The Preliminary Reservation and subsequent Increase of Preliminary Reservation provided that no amount of the mortgage was attributable to commercial space, in accordance with paragraph 3-6 of the Handbook.

i. Approval of the Preliminary Reservation was granted by HUD on December 27,

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BAY RIDGE ACTION COMMITTEE, INC.,
ET AL.,

Plaintiffs,

v.

THOMAS EKELAND, HUD, LYNN,
ET AL.

Defendants.

No. 75 C 477

AFFIDAVIT OF IDE BEYTIN

Ide Beytin, being duly sworn, deposes and says:

1. I am the Multifamily Housing Representative responsible for processing applications of non-insured state-assisted housing projects for assistance under section 236 in the New York City Area Office of the United States Department of Housing and Urban Development. I work under the supervision of the Director of the Operations Division and the Area Director, Joseph Monticciolo. I have read the pleadings in the above captioned action. The information set forth in this affidavit is based upon my personal knowledge and information supplied to me by other employees of HUD.

2. The Shore Hill Project is an apartment complex being constructed for use by the elderly in the Bay Ridge area of Brooklyn, New York, at 91st Street and Shore Road. It is being developed by Lu-Med Housing Development Corp. (Lu-Med) and Shore Hill Housing Co., Inc., two non-profit corporations, in cooperation with Lutheran Medical Center, Inc. and Shore Hill Fund Co., Inc. and is being financed by the New York State Housing Finance Agency under a program administered by the New York State Division of Housing and Community Renewal (DHCR). The U.S. Department of Housing and Urban Development (HUD) is committed to provide, pursuant to section 236, periodic interest reduction subsidies and rent supplement payments upon completion of construction. The project is not insured by the Federal Housing Authority.

3. The project site and the surrounding area are zoned R7-1, which permits high-rise development. This zoning has resulted in the construction of apartment structures of 6, 7 and 11 stories in an area previously comprised of single and two-family residences. The project has evolved through three phases of design. The first design, a 22-story project for the elderly containing 663 units, was approved by the Project Approval Committee of the New York State Division of Housing and Community Renewal. A few months later, on May 4, 1971, the Planning Commission of the City of New York indicated that the proposed project complied with zoning laws and other local requirements. This local body held a public hearing to obtain citizen comments and approved the 22-story proposal on October 11, 1972. HUD executed a Preliminary Reservation of Contract Authority for Section 8 interest reduction subsidy in the amount of \$848,220 for this proposed project on December 27, 1972 (Exhibit 1).

Citizen dissatisfaction with the proposed 22-story project expressed at a public hearing held by the Board of Estimate in March of 1973 led to a recommendation by Lu-Med and the DHCR that the proposal be referred to the City Planning Commission for further consideration. Three months later, a public hearing was held to consider a revised proposal for one sixteen-story building of 667 units.

Five months later, on November 13, 1973, a proposal for two 14-story buildings containing a total of 557 units was sent to the City Planning Commission. Two weeks later, on December 3, 1973 a public hearing was conducted to consider special permit authorizations necessary for such a 14-story project. Opposition to this proposal was expressed by residents of the area based on its high-rise design, its distance from shopping and transportation, and a fear that the structure would eventually be used as a welfare hotel or drug treatment center. The City Planning Commission approved the proposal for two 14-story buildings of 557 units connected by a one-story community building on January 2, 1974. That same month the New York Board of Estimate granted its approval of the 14-story project.

4. HUD's environmental evaluation of the project commenced on March 11, 1974, with the filing by DHCR of a HUD Form ECO-1 prepared by Lutheran Medical Center as sponsor of the project supplying information concerning the physical environment, the social environment, the aesthetic environment,

and alternatives. A copy of this form is attached as Exhibit 7.

A Special Clearance Worksheet was prepared by Frank A. Batstone of the HUD Area Office on September 3, 1974. This evaluation considered such factors as the physical environment, including water supply, sewerage, parking and traffic, availability of public transportation, energy demand, building height, air quality, and noise. The social environment was another factor evaluated considering density, recreation, hospital facilities, and shopping facilities. The aesthetic environment was also considered. The alternatives of providing or withholding funds to the state-financed project were evaluated. The history of controversy, including the views expressed at public hearings was also discussed and evaluated.

The contents of this clearance worksheet were approved by the Environmental Clearance Officer. The outcome of the environmental evaluation was a finding by the Environmental Clearance Officer and Director, Operations Division, on September 18, 1974, that providing assistance to the project did not constitute a major federal action significantly affecting the human environment. This environmental clearance was certified by Acting Area Counsel as fulfilling the necessary procedural steps and all legal requirements. No environmental impact statement was prepared since a Finding of Inapplicability had been made, indicating that the proposed project would not have significant environmental impact, all in accordance with HUD Handbook 1390.1, Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality, 38 F.R. 19182 (July 18, 1973).

5. The procedures for considering an application for interest reduction subsidy under section 236 for a project owned by a non-profit corporation for which the mortgage is not insured by FHA, as set forth in HUD Handbook 4530.1 (attached as Exhibit 11), were complied with as follows:

- a. FHA Form 3126, Preliminary Reservation of Contract Authority (Section 236), was filed by the applicant reflecting a maximum annual total amount of interest reduction payments computed on a rate of interest of 6 1/2 percent, which was less than the then current HUD-FHA rate including Mortgage Insurance Premium of 7 percent.
- b. ,FHA Form 2530, Previous Multifamily Participation Certificate, was submitted by the applicant on March 11, 1974.
- c. FHA Form 2010, Equal Employment Opportunity Certification, was filed by the applicant on March 11, 1974.

- d. HUD Form ECO-1 was prepared by the sponsor on February 7, 1974, and filed by the applicant March 11, 1974, to provide environmental information.
- e. An independent evaluation of the project was made on the basis of:
 1. a visit to the site on March 18, 1974;
 2. examining various reports and official documents, such as the Plan for the City of New York, 1969; Data Report, Aerometric Network, 1972, New York City Department of Air Resources; Hospitals and Health Related Facilities in Southern New York, 1972; City Planning Commission Reports, January 2, 1974, Calendars #12 and #13; and newspaper clippings;
 3. correspondence, including a letter of May 10, 1974, from Consolidated Edison Co., a letter of August 7, 1974, from the Division of Sewer Design, Bureau of Water Pollution Control, Department of Water Resources, New York City Environmental Protection Agency to V.L. Falotico, Inc., Consulting Engineers, and associated letter from V.L. Falotico, Inc., and a letter dated August 12, 1974, from Sam Posner, Project Manager, Gruzen and Partners (Project Consultants);
 4. telephone conversations on August 15, 1974, with staff members of V.L. Falotico, Inc., Consulting Engineers, and the Department of Water Resources of New York City; and
 5. examining information supplied in connection with the project selection criterion questionnaire submitted by applicants.
- f. As a result of the evaluation, HUD determined in accordance with paragraph 3-5 of Handbook 4530.1, that the Proposed Project met the standards of an adequate rating on Criterion No. 2 of the Project Selection Criteria, Minority Housing Opportunities. See FHA Form 3165 attached as Exhibit 6 to Monticciolo affidavit.
- g. Before execution of the Preliminary Reservation of Contract Authority, HUD determined that the proposed basic rents with maximum subsidy were less than 25 percent of the income limits then applicable, as set forth in Handbook 4400.3 6A (now Handbook 4515.4). Prior to the approval of the increase in reservation of contract authority, HUD determined that the basic rents to be charged were again in conformity with the 25 percent of income limits requirement. These determinations were made in accordance with paragraph 3-5b of the Handbook.

- h. The Preliminary Reservation and subsequent Increase of Preliminary Reservation provided that no amount of the mortgage was attributable to commercial space, in accordance with paragraph 3-6 of the Handbook.
- i. Approval of the Preliminary Reservation was granted by HUD on December 27, 1972, as indicated by the execution of the document by the Area Director in accordance with paragraph 3-7 of the Handbook.
- j. Approval of the Increase in Preliminary Reservation in response to an increase in interest rate to 7 1/2 percent and a reduction in number of units was granted by HUD on November 25, 1974, in accordance with paragraph 3-16 of the Handbook.
- k. An Interest Reduction Contract was executed by the Shore Hill Housing Company, Inc., the New York State Housing Finance Agency, the Commissioner of Housing and Community Renewal of the State of New York, and the Secretary of HUD on November 26, 1974, in accordance with paragraph 3-16 of the Handbook. Construction commenced in late December of 1974 or January of 1975.

Area residents have continued to express opposition to the Shore Hill Project since the completion of HUD's environmental review and the execution of the Interest Reduction Contract in November of 1974. In January of 1975, about three hundred and thirty identical form complaints were submitted to HUD requesting that then Secretary James T. Lynn restrain the New York Area Office of HUD from entering into a section 236 interest subsidy contract with respect to the Shore Hill Project because of an alleged failure to comply with provisions of the Housing and Community Development Act of 1974 concerning "environmental impact and community support."

IDE BETTIN
Multifamily Housing Representative
New York City Area Office
Department of Housing and Urban Development

Subscribed and sworn to before me this

day of

1975.

Notary Public

My commission expires

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BAY RIDGE ACTION COMMITTEE, INC., et al. }
Plaintiffs, }
v. }
THOMAS EKELAND, HUD, LYNN, et al. }
Defendants }
No. 75 C 477

AFFIDAVIT OF JAMES D. FLEMING

James D. Fleming, being duly sworn, deposes and says:

1. I am the Environmental Clearance Officer in the New York City Area Office of the United States Department of Housing and Urban Development. My duties include carrying out the appropriate level of environmental evaluation with respect to proposed housing projects which have applied for assistance under HUD-FHA programs and making recommendations for further HUD action based on the evidence developed. I have read the pleadings in the above captioned action. The information set forth in this affidavit is based upon my personal knowledge and information supplied to me by other employees of HUD.

2. The Shore Hill Project is an apartment complex being constructed for use by the elderly in the Bay Ridge area of Brooklyn, New York, at 91st Street and Shore Road. It is being developed by Lu-Med Housing Development Corp. (Lu-Med) and Shore Hill Housing Co., Inc., two non-profit corporations, in cooperation with Lutheran Medical Center, Inc. and Shore Hill Fund Co., Inc. and is being financed by the New York State Housing Finance Agency under a program administered by the New York State Division of Housing and Community Renewal (DHCR). The U.S. Department of Housing and Urban Development (HUD) is committed to provide, pursuant to section 236, periodic interest reduction subsidies and rent supplement payments upon completion of construction. The project is not insured by the Federal Housing Authority.

3. The project site and the surrounding area are zoned R7-1, which permits high-rise development. This zoning has resulted in the construction of apartment structures of 6, 7 and 11 stories in an area previously comprised of single and

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two-family residences. The project has evolved through three phases of design. The first design, a 22-story project for the elderly containing 663 units, was approved by the Project Approval Committee of the New York State Division of Housing and Community Renewal. A few months later, on May 4, 1971, the Planning Commission of the City of New York indicated that the proposed project complied with zoning laws and other local requirements. This local body held a public hearing to obtain citizen comments and approved the 22-story proposal on October 11, 1972. HUD executed a Preliminary Reservation of Contract Authority for Section 236 interest reduction subsidy in the amount of \$848,220 for this proposed project on December 27, 1972 (Exhibit 1).

Citizen dissatisfaction with the proposed 22-story project expressed at a public hearing held by the Board of Estimate in March of 1973 led to a recommendation by Lu-Med and the DHCR that the proposal be referred to the City Planning Commission for further consideration. Three months later, a public hearing was held to consider a revised proposal for one sixteen-story building of 667 units.

Five months later, on November 13, 1973, a proposal for two 14-story buildings containing a total of 557 units was sent to the City Planning Commission. Two weeks later, on December 3, 1973, a public hearing was conducted to consider special permit authorizations necessary for such a 14-story project. Opposition to this proposal was expressed by residents of the area based on its high-rise design, its distance from shopping and transportation, and a fear that the structure would eventually be used as a welfare hotel or drug treatment center. The City Planning Commission approved the proposal for two 14-story buildings of 557 units connected by a one-story community building on January 2, 1974. That same month the New York Board of Estimate granted its approval of the 14-story project.

4. HUD's environmental evaluation of the project commenced on March 11, 1974, with the filing by DHCR of a HUD Form ECO-1 prepared by Lutheran Medical Center as sponsor of the project supplying information concerning the physical environment, the social environment, the aesthetic environment, and alternatives. A copy of this form is attached as Exhibit 7.

5. An independent evaluation of the project was made on the basis of:
1. a visit to the site on March 18, 1974;
 2. examining various reports and official documents, such as the Plan for the City of New York, 1969; Data Report, Aerometric Network,

1972, New York City Department of Air Resources; Hospitals and Health Related Facilities in Southern New York, 1972; City Planning Commission Reports, January 2, 1974, Calendars #12 and #13; and newspaper clippings;

3. correspondence, including a letter of May 10, 1974, from Consolidated Edison Co., a letter of August 7, 1974, from the Division of Sewer Design, Bureau of Water Pollution Control, Department of Water Resources, New York City Environmental Protection Agency to V.L. Falotico, Inc., Consulting Engineers, and associated letter from V.L. Falotico, Inc., and a letter dated August 12, 1974, from Sam Posner, Project Manager, Gruzen and Partners (Project Consultants);
 4. telephone conversations on August 15, 1974, with staff members of V.L. Falotico, Inc., Consulting Engineers, and the Department of Water Resources of New York City; and
 5. examining information supplied in connection with the project selection criterion questionnaire submitted by applicants.
6. A Special Clearance Worksheet was prepared by Frank A. Batstone of the HUD Area Office on September 3, 1974. This evaluation considered such factors as the physical environment, including water supply, sewerage, parking and traffic, availability of public transportation, energy demand, building height, air quality, and noise. The social environment was another factor evaluated considering density, recreation, hospital facilities, and shopping facilities. The aesthetic environment was also considered. The alternatives of providing or withholding funds to the state-financed project were evaluated. The history of controversy, including the views expressed at public hearings was also discussed and evaluated.

The contents of this clearance worksheet were approved by the Environmental Clearance Officer. The outcome of the environmental evaluation was a finding by the Environmental Clearance Officer and Director, Operations Division, on September 18, 1974, that providing assistance to the project did not constitute a major federal action significantly affecting the human environment. This environmental clearance was certified by Acting Area Counsel as fulfilling the necessary procedural steps and all legal requirements. No environmental impact statement was prepared since a Finding of Inapplicability had been made, indicating that the proposed project would not have significant

environmental impact, all in accordance with HUD Handbook 1390.1, Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality, 38 F.R. 19182 (July 18, 1973).

JAMES D. FLEMING
Environmental Clearance Officer
New York City Area Office
Department of Housing and Urban Development

Subscribed and sworn to before me this _____ day of _____ 1975.

Notary Public

My commission expires

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BAY RIDGE ACTION COMMITTEE, INC.,)
et al.)
Plaintiffs,)
v.) No. 75 C 477
THOMAS EKELAND, HUD, LYNN,)
et al.)
Defendants)

AFFIDAVIT OF JOSEPH D. MONTICCIOLI

Joseph D. Monticcioli, being duly sworn, deposes and says:

1. I am the Director of the New York City Area Office of the United States Department of Housing and Urban Development (HUD). Among my duties as Director, I am responsible for the administration of all Housing Production and Mortgage Credit-Federal Housing Administration functions and responsibilities within the New York City area, pursuant to a delegation of authority published at 39 F.R. 34656 on September 27, 1974, amending 24 C.F.R. 200.44. Included within my responsibilities for HPM-C-FHA functions is the supervision of the processing of applications for assistance under section 236 of non-insured state-assisted housing projects, including the conduct of appropriate environmental reviews. I have read the pleadings in the above captioned action. The information set forth in this affidavit is based upon my personal knowledge and information supplied to me by members of my staff and other employees of HUD.

2. The Shore Hill Project is an apartment complex being constructed for use by the elderly in the Bay Ridge area of Brooklyn, New York, at 91st Street and Shore Road. It is being developed by Lu-Med Housing Development Corp. (Lu-Med) and Shore Hill Housing Co., Inc., two non-profit corporations, in cooperation with Lutheran Medical Center, Inc. and Shore Hill Fund Co., Inc. and is being financed by the New York State Housing Finance Agency under a program administered by the New York State Division of Housing and Community Renewal (DHCR). The U.S. Department of Housing and Urban Development (HUD) is committed to provide, pursuant to section 236, periodic interest reduction subsidies and rent supplement payments upon completion of construction. The project is not insured by the Federal Housing Authority.

OMB NO. 2530
71

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION
PREVIOUS PARTICIPATION CERTIFICATE

FORM APPROVED
OMB NO. 6310-1061

Name of Insuring Office New York
and Project Name Shore Hill
Amount \$10,370,000

Project Number 012-118-NI
Location Shore Rd. & 91st Street, Brooklyn,
Number of Units 556 N.Y.

3. The project site and the surrounding area are zoned R7-1, which permits high-rise development. This zoning has resulted in the construction of apartment structures of 6, 7 and 11 stories in an area previously comprised of single and two-family residences. The project has evolved through three phases of design. The first design, a 22-story project for the elderly containing 663 units, was approved by the Project Approval Committee of the New York State Division of Housing and Community Renewal. A few months later, on May 4, 1971, the Planning Commission of the City of New York indicated that the proposed project complied with zoning laws and other local requirements. This local body held a public hearing to obtain citizen comments and approved the 22-story proposal on October 11, 1972. HUD executed a Preliminary Reservation of Contract Authority for Section 236 interest reduction subsidy in the amount of \$848,220 for this proposed project on December 27, 1972 (Exhibit 1).

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The contents of this clearance worksheet were approved by the Environmental Clearance Officer. The outcome of the environmental evaluation was a finding by the Environmental Clearance Officer and Director, Operations Division, on September 18, 1974, that providing assistance to the project did not constitute a major federal action significantly affecting the human environment. This environmental clearance was certified by Acting Area Counsel as fulfilling the necessary procedural steps and all legal requirements. No environmental impact statement was prepared since a Finding of Inapplicability had been made, indicating that the proposed project would not have significant environmental impact, all in accordance with HUD Handbook 1390.1, Departmental Policies, Responsibilities and Procedures for Protection and Enhancement of Environmental Quality, 38 F.R. 19182 (July 18, 1973).

5. The procedures for considering an application for interest reduction subsidy under section 236 for a project owned by a non-profit corporation for which the mortgage is not insured by FHA, as set forth in HUD Handbook 4530.1 (attached as Exhibit 11), were complied with as follows:

- a. FHA Form 3126, Preliminary Reservation of Contract Authority (Section 236), was filed by the applicant reflecting a maximum annual total amount of interest reduction payments computed on a rate of interest of 6 1/2 percent, which was less than the then current HUD-FHA rate including Mortgage Insurance Premium of 7 percent.
- b. FHA Form 2530, Previous Multifamily Participation Certificate, was submitted by the applicant on March 11, 1974.
- c. FHA Form 2010, Equal Employment Opportunity Certification, was filed by the applicant on March 11, 1974.

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PREVIOUS PARTICIPATION EXPERIENCE
(See instructions on reverse)

PART I - REQUEST FOR PREVIOUS PARTICIPATION EXPERIENCE

FROM: ASSISTANT REGIONAL ADMINISTRATOR OR FIELD OFFICE

- for any information concerning an applicant participating in a HUD program and falling within the categories for
- d. HUD Form ECO-1 was prepared by the sponsor on February 7, 1974, and filed by the applicant March 11, 1974, to provide environmental information.
 - e. An independent evaluation of the project was made on the basis of:
 1. a visit to the site on March 18, 1974;
 2. examining various reports and official documents, such as the Plan for the City of New York, 1969; Data Report, Aerometric Network, 1972, New York City Department of Air Resources; Hospitals and Health Related Facilities in Southern New York, 1972; City Planning Commission Reports, January 2, 1974, Calendars #12 and #13; and newspaper clippings;
 3. correspondence, including a letter of May 10, 1974, from Consolidated Edison Co., a letter of August 7, 1974, from the Division of Sewer Design, Bureau of Water Pollution Control, Department of Water Resources, New York City Environmental Protection Agency to V.L. Falotico, Inc., Consulting Engineers, and associated letter from V.L. Falotico, Inc., and a letter dated August 12, 1974, from Sam Posner, Project Manager, Gruzen and Partners (Project Consultants);
 4. telephone conversations on August 15, 1974, with staff members of V.L. Falotico, Inc., Consulting Engineers, and the Department of Water Resources of New York City; and
 5. examining information supplied in connection with the project selection criterion questionnaire submitted by applicants.
 - f. As a result of the evaluation, HUD determined in accordance with paragraph 3-5 of Handbook 4530.1, that the Proposed Project met the standards of an adequate rating on Criterion No. 2 of the Project Selection Criteria, Minority Housing Opportunities. See FHA Form 3165 attached as Exhibit 6 to Monticciolo affidavit.
 - g. Before execution of the Preliminary Reservation of Contract Authority, HUD determined that the proposed basic rents with maximum subsidy were less than 25 percent of the income limits then applicable, as set forth in Handbook 4400.3 6A (now Handbook 4515.4). Prior to the approval of the increase in reservation of contract authority, HUD determined that the basic rents to be charged were again in conformity with the 25 percent of income limits requirement. These determinations were made in accordance with paragraph 3-5b of the Handbook.

h. The Preliminary Reservation and subsequent Increase of Preliminary

Reservation provided that no amount of the mortgage was attributable to commercial space, in accordance with paragraph 3-6 of the Handbook.

- i. Approval of the Preliminary Reservation was granted by HUD on December 27, 1972, as indicated by the execution of the document by the Area Director in accordance with paragraph 3-7 of the Handbook.
- j. Approval of the Increase in Preliminary Reservation in response to an increase in interest rate to 7 1/2 percent and a reduction in number of units was granted by HUD on November 25, 1974, in accordance with paragraph 3-16 of the Handbook.
- k. An Interest Reduction Contract was executed by the Shore Hill Housing Company, Inc., the New York State Housing Finance Agency, the Commissioner of Housing and Community Renewal of the State of New York, and the Secretary of HUD on November 26, 1974, in accordance with paragraph 3-16 of the Handbook. Construction commenced in late December of 1974 or January of 1975.

Area residents have continued to express opposition to the Shore Hill Project since the completion of HUD's environmental review and the execution of the Interest Reduction Contract in November of 1974. In January of 1975, about three hundred and thirty identical form complaints were submitted to HUD requesting that then Secretary James T. Lynn restrain the New York Area Office of HUD from entering into a section 236 interest subsidy contract with respect to the Shore Hill Project because of an alleged failure to comply with provisions of the Housing and Community Development Act of 1974 concerning "environmental impact and community support."

JOSEPH D. MONTICCIOLI
Director, New York City Area Office
Department of Housing and Urban Development

Subscribed and sworn to before me this

day of

1975

Notary Public

My commission expires

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL ECONOMIC ADMINISTRATION

FORM NO. 3165-A

PROJECT SELECTION CRITERIA QUESTIONNAIRE

PROOF OF OFFICIAL RECORDS

I, Alfred R. Hansell, Chief, Correspondence and Record Branch, Office of Housing Management, Department of Housing and Urban Development, do hereby certify that the annexed records taken from the correspondence and Washington dockets and more particularly described as follows:

Documents - Exhibits

1. Form 3126, Preliminary Reservation of Contract Authority (Section 236) dated 12-27-72.
2. Letter of 3-11-74 from DHCR submitting required forms (attached):

FHA 2010

FHA 2530

FHA 3165 A

Assurance of Compliance with Title VI of '64 Civil Rights Act ECO-1 and maps

Affirmative Fair Housing Marketing Plan

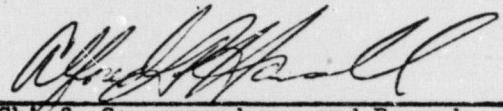
3. Memo of 4-9-74 from Area Director to Participation & Compliance Review Division requesting Previous Participation Review report on principal person involved in Shore Hills project and memo of 5-7-74 from Participation Control staff indicating favorable outcome of Previous Participation Review.
4. Letter of 5-10-74 from Con Ed to HUD indicating plan to commit sufficient facilities to supply proposed project.
5. Letter of 8-12-74 from Gruzen & Partners to HUD transmitting letters from New York City Environmental Protection Agency and consulting engineer, V.L. Falotico, Inc. (attached).
6. FHA Form 3165 indicating superior rating on Criterion No. 2 of Project Selection Criteria, Minority Housing Opportunities.
7. Memo of 10-16-74 to Area Director from Director of the Operations Division approving the project and transmitting Form ECO-3 (Special Environmental Clearance Worksheet), the resulting Finding of Inapplicability, recommendation of Director of the Operations Division, determination of Environmental Clearance Officer, and concurrence of Acting Area Counsel (attached).
8. Form 3126, Preliminary Reservation of Contract Authority (Section 236) increasing reservation, dated 11-25-74.
9. Letter of 11-26-74 from Area Director of New York State Division of Housing & Community Renewal transmitting executed Interest Reduction Contract.
10. HUD Handbook HPMC-FHA 4530.1, Non-Insured Assisted Projects by State and Local Government.
11. Letter of 2-13-75 from DHCR to HUD describing history of design changes and of approval of the Shore Hills project by State.

MINORITY HOUSING OPPORTUNITIES

- A. General Location of Proposed Housing:

are true copies of the originals on file in my office and in my custody
and are the whole truth.

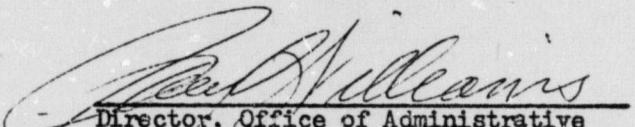
IN WITNESS WHEREOF I have hereunto set my hand and affix the seal of
the Department of Housing and Urban Development, Washington, D. C., this
27th day of May 1975.



Chief, Correspondence and Records
Branch
Office of Housing Management
U.S. Department of Housing and Urban
Development

I, Paul Williams, Director, Office of Administrative and Program Services,
do hereby certify that Alfred R. Hansell, who signed the foregoing certificate,
was at the time of signing the same, the Chief, Correspondence and Records
Branch, Office of Management, with lawful custody of the records referred to
in said certificate, and that said record is kept within Washington, D. C.

WITNESS my hand and the seal of the Department of Housing and Urban
Development at Washington, D. C. this 27th day of May 1975.



Paul Williams
Director, Office of Administrative
and Program Services
Office of Housing Management
Department of Housing and Urban
Development

WASHINGTON
DISTRICT OF COLUMBIA

)ss:

PROOF OF OFFICIAL RECORDS

I, Alfred R. Hansell, Chief, Correspondence and Records Branch, Office of Housing Management, Department of Housing and Urban Development, do hereby certify that the annexed records taken from the correspondence and Washington dockets and more particularly described as follows:

Documents - Exhibits

1. Form 3126, Preliminary Reservation of Contract Authority (Section 236) dated 12-27-72.
2. Letter of 3-11-74 from DHCR submitting required forms (attached):

FHA 2010

FHA 2530

FHA 3165 A

Assurance of Compliance with Title VI of '64 Civil Rights Act ECO)-1 and maps

Affirmative Fair Housing Marketing Plan

3. Memo of 4-9-74 from Area Director to Participation & Compliance Review Division requesting Previous Participation Review report on principal person involved in Shore Hills project and memo of 5-7-74 from Participation Control staff indicating favorable outcome of Previous Participation Review.
4. Letter of 5-10-74 from Con Ed to HUD indicating plan to commit sufficient facilities to supply proposed project.
5. Letter of 8-12-74 from Gruzen & Partners to HUD transmitting letters from New York City Environmental Protection Agency and consulting engineer, V.L. Falotico, Inc. (attached).
6. FHA Form 3165 indicating superior rating on Criterion No. 2 of Project Selection Criteria, Minority Housing Opportunities.
7. Memo of 10-16-74 to Area Director from Director of the Operations Division approving the project and transmitting Form ECO-3 (Special Environmental Clearance Worksheet), the resulting Finding of Inapplicability, recommendation of Director of the Operations Division, determination of Environmental Clearance Officer, and concurrence of Acting Area Counsel (attached).
8. Form 3126, Preliminary Reservation of Contract Authority (Section 236) increasing reservation, dated 11-25-74.
9. Letter of 11-26-74 from Area Director of New York State Division of Housing & Community Renewal transmitting executed Interest Reduction Contract.
10. HUD Handbook HPMC-FHA 4530.1, Non-Insured Assisted Projects by State and Local Government.
11. Letter of 2-13-75 from DHCR to HUD describing history of design changes and of approval of the Shore Hills project by State.

2

are true copies of the originals on file in my office and in my custody
and are the whole thereof.

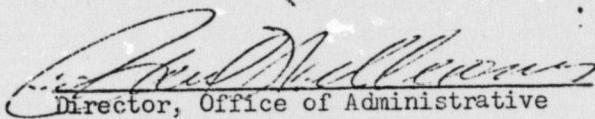
IN WITNESS WHEREOF I have hereunto set my hand and affix the seal of
the Department of Housing and Urban Development, Washington, D. C., this
27th day of May 1975.



Chief, Correspondence and Records
Branch
Office of Housing Management
U.S. Department of Housing and Urban
Development

I, Paul Williams, Director, Office of Administrative and Program Services,
do hereby certify that Alfred R. Hansell, who signed the foregoing certificate,
was at the time of signing the same, the Chief, Correspondence and Records
Branch, Office of Management, with lawful custody of the records referred to
in said certificate, and that said record is kept within Washington, D. C.

WITNESS my hand and the seal of the Department of Housing and Urban
Development at Washington, D. C. this 27th day of May 1975.



Director, Office of Administrative
and Program Services
Office of Housing Management
Department of Housing and Urban
Development

Mr. Richard Hirschberg,
Director, Project Coordination Bureau
New York State Division of Housing
and Community Renewal
393 Seventh Avenue,
New York, New York 10001

7-2 JAN 3 1973

Dear Mr. Hirschberg:

We are enclosing herewith executed copy of FIA Form 2500 on
the following projects which have been approved for rent supplement:

Project No.	Project Name	Rent Supplement Amount
012-39-HI	Fort Schuyler	\$ 10,450
012-40-HI	Nathan Hale	8,599
012-41-HI	Regina Puccis	16,780
012-74-HI	Roy Reuther	112,697
		<u>148,726</u>

You are advised that this office has reserved funds under Sections
236 and 235 for the following projects:

Project No.	Project Name	236 Subsidy	Rent Supplement
012-117-HI	Marien Heim	181E \$ 239,416	\$ 20,779
✓ 012-118-HI	Shore Hill	663E 840,223	63,067
012-119-HI	Seagirt Village	546E 704,167	57,916
		<u>1,390E 6791,803</u>	<u>141,762</u>
		<u>Section 235</u>	

012-01-235 HI Costleton Park 453 793,295

It is to be understood that allocation of funds for the aforementioned
projects is subject to our approval of environmental, project
selection, cost comparability and all other requirements of HPC-FHA
4400.46.

Sincerely,

Joseph D. Monticello
Deputy Director

Enc.

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATION
PRELIMINARY RESERVATION OF CONTRACT AUTHORITY
Section 236

New

FORM NO. 3333 Rev. 11/69

On (Builder, Developer, or other Party of Interest) *Alley*

Al-Med Housing Development Corporation
George Adams, President
520 4th Avenue

New York 11220

Project No. *Upf* -118-NI

4. Project Name

Shore Hill

Description of Project (Type of Construction, etc.)
An 22 story fireproof apartment
building for the aging)

N.Y.S.

Name and Address of Sponsor

Al-Med Housing Development Corporation
George Adams, President
520 4th Ave., Brooklyn, N.Y. 11220

2. FROM: (Location of Insuring Office)

New York Area Office

5. Location of Project (Street, City and State)

Shore Road, 91st St. at & Colonial Road,
Brooklyn

7. Proposal is located in: (Check appropriate boxes)

- A "core city" neighborhood.
- Within city limits but other than "core city."
- A blighted area.
- An area of minority concentration.
- A model city neighborhood.
- An urban renewal area.
- Other (Specify)

10. Total No. Units	11. Rent Suppl. Units	12A. Amount of Insured Mortgage to be applied for	12B. Amount of Mortgage attrib- utable to commercial space	13. Type of Proposed Mortgagor
663	10	\$ 21,080,000	\$ None	<input checked="" type="checkbox"/> Nonprofit <input type="checkbox"/> Limited Distribution <input type="checkbox"/> Cooperative <input type="checkbox"/> Builder-Seller

UNITS ALLOCATED FOR REGULAR INCOME LIMITS
(135% or less of Public Housing Limits)

of Bed- rooms	Monthly Rent Per Unit at Market Rate	Monthly Basic Rent Per Unit @ 1% Interest	Monthly Total Basic Rent @ 1% Interest	No. of Units	Bed- rooms	Monthly Rent Per Unit at Market Rate	Monthly Basic Rent Per Unit @ 1% Interest	Monthly Total Basic Rent @ 1% Interest
0	(2) 153.75	(3) 105.50	(4) \$ 3,376.00					
1	220.60	127.50	40,800.00					
1	257.50	147.50	44,840.00					
2	367.00	150.00	1,050.00					
TOTAL COLUMN (4) ——————			\$ 90,066.00	TOTAL COLUMN (5) ——————				

TOTAL BASIC RENTALS FOR
"REGULAR" and "EXCEPTION" INCOMES
plus Col. 8 \$ 90,066.00

B. PERCENT OF BASIC RENT FOR
"REGULAR" INCOME FAMILIES
(Col. 4 ÷ A) 100 %

C. PERCENT OF BASIC RENT FOR
"EXCEPTION" INCOME FAMILIES
(Col. 8 ÷ A) 55

of preliminary reservation of Contract Authority for interest reduction payments, based on the amount of insured mortgage to be applied multiplied by the applicable factor, rounded to the nearest dollar. (The annual factor for preliminary reservation of Contract Authority is based on a 40-year mortgage with the highest interest rate permissible under the FHA regulations.)

Amount of Insured Mortgage to be applied for	Factor		
Non-Insured \$ 21,080,000	X .04022313	= \$ 848,220	
ITEM	Amount Applicable to Regular Income Limit Families (% from B. X Line D)	Amount Applicable to Exception Income Limit Families (% from C. X Line D)	TOTAL
INTEREST REDUCTION PAYMENT \$ 848,220	\$ 848,220	- 0 -	\$ 848,220

APPROVAL AND RESERVATION OF CONTRACT AUTHORITY

I certify that I have reserved Contract Authority in the amount of \$ 848,220 in connection with the housing project described above. Of this amount, \$ 848,220 is reserved for regular income families, and \$ - 0 - is reserved for exception income limit families. If a commitment issued construction has not started by _____ this preliminary reservation of Contract Authority will be canceled unless extended in writing by this office for substantial cause.

Date of Directive or Title Designation	18. Date	19. Reservation No.
<i>Jayde Montanez</i>	12/12/72	236-N.I.-95

EXECUTIVE DEPARTMENT · DIVISION OF HOUSING AND COMMUNITY RENEWAL

3 WORLD TRADE CENTER
NEW YORK, N.Y. 10047

LESTER A. FISHER, JR.
DEPUTY COMMISSIONER
PETER F. GAYNOR, JR.
DEPUTY COMMISSIONER
WILLIAM A. CONNELL, JR.
COUNSEL
ALBERT B. HIRSH
ASSISTANT COMMISSIONER
MILTON M. LURKIN
ASSISTANT COMMISSIONER
FRED HECHT
ASSISTANT COMMISSIONER
ROBERT E. HERMAN
ASSISTANT COMMISSIONER

STATE OF NEW YORK

LEE GOODWIN
COMMISSIONER

ALBERT B. HIRSH
ASSISTANT COMMISSIONER
GEORGE ROUMANIS
ASSISTANT COMMISSIONER
ST. CLAIR T. BOHINE
EXECUTIVE ASSISTANT &
INTERGROUP RELATIONS
COORDINATOR
PETER J. HOPKINS
SPECIAL ASSISTANT TO
THE COMMISSIONER
LAFOLLETTE BECKER
EMPIRE HOUSING FOUNDATION
COORDINATOR
DAVID H. BUSSMAN
ADMINISTRATIVE OFFICER

March 11, 1974

Mr. Joseph Monticiollo, Acting Director
New York Area Office
Department of Housing and Urban Development
120 Church Street
New York, New York

Attn: Mrs. Ide Beytin

Re: Shore Hill
Brooklyn, New York
012-118-NI

Dear Mr. Monticiollo:

We hand you herewith six copies each of the following documents in connection with the application for Section 236 interest subsidy for Shore Hill, a 556 unit non-profit housing for the aging in Brooklyn, New York.

Form 2010, Equal Employment Opportunity Certification
Form 2530, Previous Participation Certificate
Form 3165A, Project Selection Criteria Questionnaire
Assurance of Compliance with Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964
Applicant's Environmental Information to which is affixed a location map and site plan.
Affirmative Fair Housing Marketing Plan

We will appreciate an early review and approval.

Sincerely,

Nat Barr

Nat Barr
Housing Research Analyst

Enc.
NB:se

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The undersigned understands and agrees that it is the "applicant" within the meaning of § 200.410 of the FHA Regulations and agrees that there shall be no discrimination against any employee who is employed in carrying out work receiving FHA assistance, or against any applicant for such employment, because of race, color, religion, sex, or national origin, including but not limited to employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The applicant further agrees to the following:

- (1) It will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained pursuant to an FHA program, the equal opportunity clause required by § 200.420 of the Regulations;
- (2) It will be bound by said equal opportunity clause with respect to its own employment practices when it participates in any FHA assisted construction work: Provided, That if the applicant so participating is a state or local government, the said equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract;
- (3) It will assist and cooperate actively with the FHA and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders of the Secretary of Labor;
- (4) It will furnish the FHA and the Secretary of Labor such information as they may require for the supervision of such compliance, and will otherwise assist the FHA in the discharge of FHA's primary responsibility for securing compliance;
- (5) It will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order;
- (6) It will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the FHA or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order; and
- (7) In the event that it fails or refuses to comply with its undertaking, the FHA may cancel, terminate or suspend in whole or in part any contractual arrangements the FHA may have with the applicant; may refrain from extending any further assistance to the applicant under any FHA programs until satisfactory assurance of future compliance has been received from such applicant; or may refer the case to the Department of Justice for appropriate legal proceedings.

Name of applicant: Lu-Med Housing Development Corporation

Address: 15-20 Fourth Avenue, Brooklyn, N. Y.

Signed By: G. Wayne Leinen

Title: President

Date 2/27/71

EXCERPTS FROM FHA REGULATIONS

(Copy of complete FHA
Regulations may be ob-
tained from FHA Insur-
ing Office)

0.410 Definition of term "applicant".

- a) In any mortgage or loan insurance transaction under this chapter where the Commissioner will control the mortgagor either through the ownership of corporate stock or under the provisions of a regulatory agreement, the term "applicant" as used in § 200.415 shall mean the mortgagor.
- b) In any transaction other than one specified in paragraph (a), the term "applicant" as used in § 200.415 shall mean the developer, or the builder, dealer or contractor performing the construction, repair or rehabilitation work for the property.

0.415 Agreement of applicant.

An applicant shall, prior to the Commissioner issuance of any commitment or other loan approval, agree (in a form prescribed by the Commissioner) that there shall be no discrimination against anyone who is employed in carrying out receiving assistance pursuant to this chapter, or against any applicant for such employment, because of race, color, nation, sex, or national origin.

0.420 Equal Opportunity Clause to be included in contracts and subcontracts.

- a) The equal opportunity clause prescribed by the Commissioner pursuant to the regulations of the Secretary of Labor (41 CFR Chapter 60) shall be included in each nonexempt contract and subcontract for work receiving FHA assistance.
- b) Subcontracts less than \$50,000 may incorporate by reference the equal opportunity clause.
- c) The equal opportunity clause shall be deemed to be a part of each nonexempt contract or subcontract whether or it is physically incorporated in such contract.

0.425 Exemptions.

- a) Transactions of \$10,000 or under. Contracts and subcontracts not exceeding \$10,000 are exempt from the requirements of the equal opportunity clause. No contractor or subcontractor shall procure supplies or services in less than quantities to avoid applicability of the equal opportunity clause.
- b) Contracts and subcontracts for indefinite quantities. Contracts and subcontracts for indefinite quantities are exempt from the requirements of the equal opportunity clause if the amount to be ordered in a single year under any such contract will not exceed \$10,000.
- c) Work outside the United States. Contracts and subcontracts with regard to work performed outside the United States by employees who were not recruited within the United States are exempt from the requirements of the equal opportunity clause.
- d) Others. Other exemptions set forth in the regulations of the Secretary of Labor at 41 CFR Section 60-1.5 apply to transactions under this subpart.



Area of Insuring Office New York
 Proposed Project Name Shore Hill
 Proposed Mortgage Amount \$ 19,370,000

Project Number 012-118-NI
 Location Shore Rd. & 91st Street, Brooklyn,
 Number of Units 556 N.Y.

I, undersigned, request consideration of the above identified project proposal to be financed with a mortgage insured under the National Housing Act. I, individually and collectively, represent that we are the sole Principals in the project (or that all other Principals have filed a similar certificate), that we have not been Principals or had an interest in any FHA insured or other HUD programs except as shown below, and that no project in which we have had an interest is, or ever was, in default or received mortgage relief except as shown below. We agree that any change of the Principals listed herein, or additions thereto, will be reported to FHA and we will inform them of the requirement to file a similar certificate.

Previous Project Name and Location	FHA or HUD No.	Name of Principal	Type of Participation	Default	Mortgage Relief
Arden Hall 20 & 2650 E. 13th St. 15 & 2645 Homecrest Ave. Brooklyn, New York		Reuben Glick	Contractor 20%	None	None
Ocean Ridge Terrace Apts. 013-30189 25 Ocean Avenue Brooklyn, New York		Reuben Glick	Contractor 33-1/3%	None	None
Bay Park Apartments 21 Bay Parkway Brooklyn, New York	012-30199	Reuben Glick	Contractor 33-1/3%	None	None
Bay Reuther Houses Reach 6th to 8th Streets Asgirt Ave. to Oceanfront Brooklyn, New York	012-74-NI	Glick Construction Corp. and RCI Development Corp.	General Contractor/ Developer	None	None
6th Street Houses 5th Avenue and 106th Street New York, New York		Glick Construction Corp. and General Glick Affiliates	Contractor/ Developer	None	None
Chriem-Heim Tower 10 Ocean Parkway Brooklyn, New York		Glick Construction Corp.	General Contractor	None	None

EV, EXP. SATISFACTORY 7/1/13 3/22/14

at
no 644-111 3-25-77

Satisfactory - Wage Loss 3/15/14

Experience Satisfactory Concl Day Eq 3/24/77

GLICK CONSTRUCTION CORP. - General

Contractor

E.T. No. 11-1974002
President

*Employer Identification

#

Social Security Number

118-24-2588

7/74

By:

Sig

Reuben Glick

Vice President

078-18-1512

E

SIGNATURE

7/74

SIG

Daniel Glick

E

SIGNATURE

7/74

SIG

Morton Glick

E

SIGNATURE

7/74

SIG

Jeffrey Glick

E

SIGNATURE

7/74

SIG

Sylvia Glick</

FEDERAL HOUSING AUTHORITY
PREVIOUS PARTICIPATION CERTIFICATE

OMB NO. 63-111061

HUD Area Office New York Area Office Project Number 012-118-NI
 Proposed Project Name Shore Hill Location Brooklyn, New York
 Proposed Mortgage Amount \$ 12,370,000 Number of Units 556

We, the undersigned, request consideration of the above identified project proposal to be financed with a mortgage insured under the National Housing Act. We, individually and collectively, represent that we are the sole Principals in the project (or that all other Principals have filed a similar certificate), that we have not been Principals or had an interest in any FHA insured or other HUD programs except as shown below, and that no project in which we have had any interest is, or ever was, in default or received mortgage relief except as shown below. We agree that any change of the Principals listed herein, or additions thereto, will be reported to FHA and we will inform them of the requirement to file a similar certificate.

Previous Project Name and Location	FHA or HUD No.	Name of Principal	Type of Participation	Default	Mortgage Relief
------------------------------------	----------------	-------------------	-----------------------	---------	-----------------

None

NO PREVIOUS EXP. M/C AB 3/27/74
 No Exp. Wage & C.C. 3/15/74

DATE 2/27/74 SIGNATURE Howard C. Adams

LEASE TYPE NAME AND INTEREST IN PROPOSED PROJECT 2/28/74 Chairman, Bd. of Dir.

CITY, STATE AND ZIP CODE W. Hempstead, N.Y. 11552

DATE 2/27/74 SIGNATURE Thomas C. Ekeland

LEASE TYPE NAME AND INTEREST IN PROPOSED PROJECT 2/27/74 Member, Bd. of Dir.

CITY, STATE AND ZIP CODE Brooklyn, N.Y. 11209

DATE 2/27/74 SIGNATURE Roald Carlson

LEASE TYPE NAME AND INTEREST IN PROPOSED PROJECT 2/27/74 Vice President

CITY, STATE AND ZIP CODE Brooklyn, N.Y. 11209

DATE 2/27/74 SIGNATURE Herbert H. Cordes

LEASE TYPE NAME AND INTEREST IN PROPOSED PROJECT 2/27/74 Howard Smith

CITY, STATE AND ZIP CODE Brooklyn, N.Y. 11209

Employer Identification or Social Security Number no exp. off 1/14 3-25-74

3/14/74

DATE 2/27/74 SIGNATURE Howard C. Adams

Employer Identification or Social Security Number 130-16-3434

DATE 2/27/74 SIGNATURE Thomas C. Ekeland

Employer Identification or Social Security Number 367-01-3584

DATE 2/27/74 SIGNATURE Roald Carlson

Employer Identification or Social Security Number 472-20-5190

DATE 2/27/74 SIGNATURE Herbert H. Cordes

Employer Identification or Social Security Number 056-01-5783

DATE 2/27/74 SIGNATURE Howard Smith

Employer Identification or Social Security Number 130-22-0358

U. S. DEP. OF HOMELAND SECURITY AND URGENT DEFENSE
PREVIOUS PARTICIPATION EXPERIENCE
(See instructions on reverse)

PART I - REQUEST FOR PREVIOUS PARTICIPATION EXPERIENCE
FROM: ASSISTANT REGIONAL ADMINISTRATOR OR FIELD OFFICE

NAME OF REQUESTER

TITLE OF REQUESTOR

NAME OF COMPONENT

LOCATION

REGION

TELE. NUMBER

INFORMATION REQUESTED
(Name of Individual and/or Firm -
List Alphabetically)

SOCIAL SECURITY AND OR
TREASURY NUMBER

CITY, STATE AND ZIP CODE

100-24

(Use additional sheet of paper if necessary)

DATE OF APPLICATION	TYPE OF CONTRACT	NAME OF PROJECT
PROJECT NUMBER	LOCATION	
DATE	TITLE	SIGNATURE
PART II - RESULTS OF INDICES CHECKED		
TO:		FROM: OFFICE OF INVESTIGATION

Results of Checks Revealed the Following:

- No Information
- Set Forth Below Is a Short Resume of Information Disclosed

DATE	TITLE	SIGNATURE
------	-------	-----------

(If help is needed to complete this form, consult the Office of Investigation, Central Office.)

Regional or Field Office requesting officials will complete and forward this form directly to the Office of Investigation for any information concerning an applicant participating in a HUD program and falling within the categories for which application reference checks are required under policies and procedures existing at the time of participation.

Except for FIA requests, upon completion of the check, Copy 1 will be sent by the Office of Investigation to the requesting operating official. For FIA requests, Copy 1 will be sent by the Office of Investigation to the Office of the Assistant Commissioner for Subsidized Housing Programs.

PROJECT SELECTION CRITERIA QUESTIONNAIRE

735(D) 221d3 Rent Supp.	Low-Income Public Hsg.	Y230 Rent Supp.		
Sponsorship: Nonprofit	Profit	Limited Dividend		
Priority Reg.	Early Fess.	Reservation	App. Pub. Hsg.	Area or Insuring Office
Applicant (Name and Address)		Census Tract (where available)	Date of Initial Application	
Brooklyn Medical Center 45-00 4th Avenue, Brooklyn		52-02		
Identification of Subdivision/Location of proposed Project		Case or Application Number		
91st Street and Shore Road (NE Corner) Brooklyn, NY 11209		BCHP #70-75, S2		

LAWRENCE INSTRUCTIONS: Provide all the information requested below for every question applicable to the housing you are proposing under any of the following programs: Section 35(2), Section 236, Rent Supplement, and Low-Rent Public Housing. The applicant is enjoined to provide concise, complete, factual data and the source of such data. Assertions not supported by data are unacceptable. For public housing applications, the information requested with regard to the site on items 2, 3, 4, and 5, and with regard to the developer on item 7, may not yet be known. In lieu of this information, Local Housing Authorities shall submit Statement of Intent to Comply with the Project Selection Criteria, following the format provided in Exhibit A attached to this form. These statements must be supported with factual data showing how the intent is to be fulfilled. In addition, any information available should be provided, such as sites being considered.

It is vital that all applicable questions be answered completely. Questionnaires which are inadequately or inaccurately prepared will be returned to the applicant prior to any evaluation of the proposal submitted. Submission of irrelevant or unnecessary information in addition to that requested on the questionnaire is not desirable, and will only delay the evaluation and processing of the application.

LOCALITY MAP: Attach a map designating project site(s), outlining the section of the city which the site(s) is located. (In the case of public housing, where site(s) is/are not known, designate possible site(s), and the section(s) in which they are located, which are reasonably certain to receive approval under the Project Selection Criteria.) Section defined as the project neighborhood and contiguous neighborhoods. For designated sections, identify the following: zoning, land use, availability of adequate utilities, racial and ethnic group concentrations, proximity to existing or proposed community facilities, public transportation lines and major thoroughfares, employment concentrations, all existing or proposed housing for low- and/or moderate-income families, Urban Renewal Model Cities areas, and other such items as may be pertinent. Where appropriate, references to the locality map may serve to answer the questions below.

SEE ATTACHED DOCUMENTATION FOR ABOVE INFORMATION (ATTACHMENT 1)
NEED FOR LOW(ER) INCOME HOUSING

A. Low(er) Income Households with Unmet Housing Needs in Market Area (answer in terms of market proposed housing is to serve, rather than total low(er)-income housing market);

No. of households	Number of persons in Household								8 or more	Not Reported
	Total	1	2	3	4	5	6	7		
10,000	10,000	1,000	2,000	3,000	4,000	5,000	6,000	7,000	1,000	1,000

² As of mid-June 1940, based on U.S. Census data. Total over 66 years old: 21,571 in P.R.

No. of
Bedrooms Number of Bedrooms
Buildings Structure Type Bldg. A B C D E F G H or more

MINORITY HOUSING OPPORTUNITIES

A. General Location of Proposed Housing:

1. Outside an area of minority concentration and outside an area already substantially racially mixed
2. Outside an area of minority concentration, but the area is racially mixed
3. In an area of minority concentration
4. In a housing market area with few or no minority group residents

Indicate basis for judgment:

1970 U.S. Census Data (See Attachment 2)

B. Minority/Non-Minority Characteristics of Proposed Project Area:

1. % non-minority 69.11

2. % minority (specify all minority groups) Negro = 0.07%
Other non-white = 0.74%

Source of data:

New York City Planning Commission; based on 1970 U.S. Census Data

C. The proposed project will/will not cause an increase in the proportion of minority to non-minority residents because:

It is anticipated that the majority of residents will be elderly people who live in the community.

D. If the proposed housing will be located in an area of minority concentration, provide a map or other designation of the housing market area (as outlined by the field office) identifying areas of minority concentration, and answer the following questions, specifying the sources of data and information. (If used, this may be the same as the Locality Map, provided it encompasses the entire housing market area.).

NA

1. Is the area part of an official State or local agency development plan? If so, identify the agency and briefly describe the plan and the relationship of the proposed housing to the plan.

NA

2. Are there sufficient, comparable housing opportunities in the housing market area for minority families, in the income range to be served by the proposed project, outside areas of minority concentration? If so, specify:

a. The income range to be served by the proposed project

NA

b. The number and location of units in the housing market area available on a non-discriminatory basis which serve the income range to be served by the proposed project and which are outside areas of minority concentration. (Identify these either on the housing market map which shows

In the proposed project necessary to meet overall housing needs which cannot otherwise feasibly be met in that housing market area? If so, for each area in the housing market area which is not one of minority concentration, provide documented evidence showing why it is not feasible to meet those housing needs there.

IA

IMPROVED LOCATION FOR LOW(ER) INCOME FAMILIES

- A. Specify location of and number of units in each other subsidized housing project located in the section in which the proposed project is to be located:
ECON
- B. Describe accessibility to social, recreational, educational, commercial, and health facilities and services, and other municipal services (include information on facilities and services expected to be available): The proposed area is well served by social, recreational, educational, commercial and health facilities and services. See attached maps for documentation. (Source: New York City Planning Commission). In addition: there is a Senior Citizen Social Center approximately $\frac{1}{2}$ miles from proposed site; a community center will be located on-site; LaGuardia Medical Center will relocate approximately one mile from site in approximately 4 years. (See Attachment 1 for maps)
- C. Compare facilities and services discussed in B. above with those typically found in neighborhoods consisting largely of standard, unsubsidized housing of a similar market value to the housing proposed: The services and facilities described above are of a quality and quantity typically in urban neighborhoods consisting largely of standard, unsubsidized housing of a similar market value to the housing project.
- D. Describe employment opportunities which will be accessible to low(er) income workers who will live in the proposed project: The vast majority of residents will be retired as the project is to provide housing for the elderly - single occupants and at least one spouse of a married couple must be 62 years of age or older.
- E. What is the time and cost of travel to employment opportunities cited above?

IA

13. 7. Housing is located in an Urban Renewal area and is required to fulfill the Urban Renewal Plan
13. 8. Housing is located in a Model Cities area and is required to fulfill the Comprehensive City Demonstration Program
13. 9. Housing is located in a New Community and is required to fulfill a New Community Development Plan approved under Title VII of the Housing and Urban Development Act of 1974.

A. Proposed housing will be consistent with the housing element of a State, or officially-approved land use or other development plan (noting also that it must constitute an officially approved land use or other development plan).

1. Specify plan: New York City Plan of the Harbor, Bronx River Valley Planning District 10. Services and facilities reportedly determined to be a high priority by local planning board, 1973.

2. Provide documentation of consistency with housing element:

Area is zoned R-1; 2-3 story private houses on North and East Boundary of site, 6-10 story apartment houses on South, New York Harbor on West.

3. Is local plan consistent with metropolitan or regional plans?

See Above

NO B. Proposed housing will be located in Urban Renewal, Model Cities, New Community or other similar Federal, State or local development plan area.

1. Specify type of area:

2. Document consistency with development plan:

YES C. Proposed housing is consistent with a policy adopted by a State housing or metropolitan area-wide development agency or the local governing body for providing for and dispersing housing for low- and moderate-income families.

1. Cite agency and policy and briefly describe policy:

This is in keeping with the policy of the New York State Division of Housing to make non-profit housing available for senior citizens of low and moderate income.

NO D. Proposed housing is located in a community that does not have officially-approved land use or other development plans.

1. Describe the growth patterns of the community, pointing out the respects in which they are sound or unsound, and the relationship of the proposed housing to these growth patterns:

5. RELATIONSHIP OF PROPOSED PROJECT TO PHYSICAL ENVIRONMENT

A. Describe land use plan for proposed project (sketches are sufficient):

See attached sketch (Attachment 3)

B. Describe architectural treatment for proposed housing (sketches are sufficient):

See attached sketch (Attachment 3)

C. Describe adverse environmental conditions, natural or man-made, to which the project will be subject (e.g., instability, flooding, septic tank backups, sewage hazards, or malodors; harmful air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; unsanitary rodent or vermin infestation; or dangerous fire hazards):

Proposed project site is in attractive residential area, with view of New York Harbor. Area is notable in New York City for its lack of the usual urban environmental pollutants.

2. State specific plans for correction:

PA

- B. Describe (considering both short- and long-term effects) probable or possible effect of proposed housing on ecologically valuable or significant natural areas or significant historical or archaeological areas.

The proposed project will use approximately 25 percent of the available site area to be assigned to monitoring, impact assessment on the ecology of the area (See Attachment 3).

ABILITY TO PERFORM

- A. List principal members of your staff, other personnel you will utilize, and identify any other help you will receive in the development of this project (including contractors, sub-contractors, architects, consultants, etc.):

Irchester Medical Center: George Adams, President

Alfred Breunning, Assistant Administrator

Architect: Gruson and Partners, 1700 Broadway (Project Architect: William Leon)

Contractor: Glick Construction Co., Elmont, Long Island (Rubin Glick)

Attorney: Joseph Sussillo, 437 Ray Ridge Parkway, Brooklyn, 11209

- B. Specify relevant experience of staff, personnel and other individuals or firms listed above (in either subsidized, unsubsidized, conventionally-financed housing developments or related fields):

The Architect and the Contractor are foremost in their fields. They have designed and built a vast number of governmentally aided housing developments in the New York Metropolitan area. In addition, the planning, construction and operation of this project will be under supervision of the Division of Housing and Community Renewal which is the recognized leader in developing low and moderate income housing in the country.

NO C. LHA with no units under management

YES D. Sponsor or developer with no previous experience

PROJECT POTENTIAL FOR CREATING MINORITY EMPLOYMENT AND BUSINESS OPPORTUNITIES

- A. If a sponsor/developer of housing under Section 235, 236 or Rent Supplement, provide the following:

2. State specific goals and hiring timetables, as well as past performance, if any, for providing training and/or employment for minority persons. (This

Includes training and/or employment in all phases of development, including, but not limited to, planning, site development, construction, maintenance, and management.)

NA

2. State specific goals, hiring timetables and past performance, if any, for utilizing business concerns (including but not limited to the prime contractor) owned, controlled or managed in substantial part by minority persons. (This includes business opportunities in all phases of development, including, but not limited to, planning, site development, construction, maintenance and management.)

NA

B. If a Local Housing Authority, provide the following:

1. Briefly describe any ongoing program of minority training, employment, or entrepreneurship being operated by the Housing Authority.

NA

2. Describe minority training, employment and entrepreneurship opportunities to be made available in the development of the proposed project.

NA

or

3. Submit a Statement of Intent, following the format provided in Exhibit A, indicating the authority's intent to contract with architects, developers, etc., who provide, or will provide to the extent feasible, minority training, employment, and entrepreneurial opportunities.

VISION FOR SOUND HOUSING MANAGEMENT

List projects currently under management by LMA or by sponsor and, if applicable, management agent. (If under a HUD program, specify.)

No projects currently under management. Sponsor is owner/manager for 68 units of housing primarily for staff of the hospital.

Describe your and, if applicable, your management agent's past management performance with regard to maintenance policies, financial stability, tenant-management relations and overall management practices. (If applicable, specify defaults, need for mortgage payment relief or other significant problems.) If this question can be answered, in whole or in part, by information submitted in response to the "Questionnaire for Sponsor" (Form HUD 9405-A) and/or "Questionnaire for Managing Agent" (Form HUD 9405-B) submitted with your application, you may reference the relevant sections.

As noted, the sponsor does not currently manage a housing program. With respect to the 68 units primarily occupied by hospital staff maintenance policies, financial stability, tenant-management relations and overall management have been carried out in a satisfactory manner. No complaints have been filed with the New York City Department of Buildings.

1. If you feel that your past experience, as discussed above, is superior, explain why; or,

2. If you have no previous experience, explain on what basis you demonstrate the potential for meeting project management requirements; or,

As an 81-year old voluntary, acute care hospital the sponsor is well-experienced in providing a wide array of complex services to the population it serves. Competence is demonstrated by the following approvals and accreditations: Joint Commission on Hospital Accreditation, New York City Health Department, New York State Health Department, teaching programs approved by AMA Council on Medical Education.

what basis you now demonstrate the potential for meeting project management requirements.

NA

C. If your project is proposed under either the Section 236 program or the Rent Supplements program, attach your management plan (based on "Management Plan Requirements," Form HUD 9405).

1. If you feel that your plan significantly exceeds present HUD management requirements and guidelines in terms of the quality of management proposed and services to be provided, explain how (cite specific requirements and appropriate sections of your plan).

Management plan has not yet been developed

Form 174

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**ASSURANCE OF COMPLIANCE
WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

Lu-Med Housing Development Corporation

(hereinafter called the

(Name)

"Applicant") HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352 and all requirements imposed by or pursuant to the Regulations of the Department of Housing and Urban Development (24 CFR, Subtitle A, Part 1) issued pursuant to that Title, to the end that, in accordance with Title VI of the Act and the Regulations, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department of Housing and Urban Development, and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department of Housing and Urban Development, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision or similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department of Housing and Urban Development.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal loans, advances, grants, properties, contracts or other Federal financial assistance extended after the date hereof to the Applicant by the Department of Housing and Urban Development, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Applicant.

Dated 2/27/74

Lu-Med Housing Development Corporation

(Applicant)

BY

Mary E. Adams

(Authorized Official)

Lu-Med Housing Development Corporation
45-20 Fourth Avenue, Brooklyn, N.Y. 11220
(Applicant's Mailing Address and ZIP Code)

202-388-0
HUD-Wash., D.C.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APPLICANT'S ENVIRONMENTAL INFORMATION

Region NEW YORK Area/Insuring Office _____

A. Applicant/Sponsor. Lutheran Medical Center

B. Project Name and Location. Shore Hill - Shore Road & 91st Street
Brooklyn, NY 11209

C. HUD Program. Section 236-14.103 Interest Reduction Payments

D. OMB Circular A-95 Review.

Is proposed project subject to A-95 review? Yes No

Date submitted to clearinghouses: _____

Check one: State/regional clearinghouse comments attached. No comments received after _____ days before clearinghouses.

E. Description of project. The project is made up of three (3) buildings.

Two (2) L shaped 14-story buildings of brick and reinforced concrete construction, housing 557 dwelling units.

One (1) story Community Center.

The combined community space, in excess of 21,000 sq. ft. will include Meeting Rooms, Medical Suites, Hobby & Work Shops, Kitchen, Health Club, Laundry Service, Toilets and Commissary.

The open land area of 88,850 sq. ft. will be landscaped for sitting and walkways. There will be outdoor on-site parking for 112 cars.

The project will be built on 2.7 acres of land, and will have a panoramic view of the New York Harbor, the Narrows, the Verrazano Bridge and the Shore Road Park.

The estimated total project cost will be \$19,970,000.

F. Description of existing environment of the site and area.

1. Existing physical environment (natural and man-made):

a. Land and Climate: General characteristic of soil: Soil material medium to fine brown sands - brown sands - clayey silts and some gravels: Presumptive bearing capacity of 3 tons per square foot. The site slopes from S.W. to N.E. There is a 15 ft. rise from West to East for a distance of approximately 340 ft. and generally flattens out on the eastern half.

b. Vegetation, wildlife and natural areas: The project is located in the southwest section of Brooklyn, in an area of low and high rise residential buildings. It is in close proximity to Shore Road Park and because less than 25% of the land (2.7 acres) will be used for the buildings the remaining landscape design will give a park like atmosphere to the entire site.

c. Surrounding land uses and physical character of area: The area surrounding the site is generally composed of low rise 2-3 story private homes to the North and East and high rise 6-10 story apartment houses to the south. The western portion overlooks Shore Road Park and the Verrazano/Narrows approach to New York Harbor.

d. Infrastructure:

See Attached - #1

e. Air pollution levels:

See Attached - #1

f. Noise levels: The project is not in the traffic pattern of an airport, highway or open subway. The local streets are used primarily for non commercial traffic. Therefore posing no vibration problems. Construction of the project is designed to reduce noise impact to the tenants. The floors are 8 inch concrete slabs covered with wood flooring and sound attenuating underlayment, designed to reduce impact and air borne noise passage. Elevators, compactor shafts and door assemblies will be constructed with sound attenuating materials.

6. Water pollution: Not Relevant

h. Other:

2. Existing social environment:

a. Community facilities and services:

See Attached - #2

b. Employment centers and commercial facilities: Although a residential area, community jobs are available in local banks, insurance and realty companies, numerous professional offices and many commercial enterprises scattered throughout the community. The major portion of the project's residents will be retired or near retirement age.

c. Character of community:

d. Other:

See Attached - #2

- B. Existing aesthetic environment: (Including properties listed on, or nominated to, the National Register of Historic Places) Location is central to all of New York City's finest aesthetic attributes.
- C. How will the environment described in F affect the project:

1. Physical environment:

See Attached - #3

2. Social environment:

3. Aesthetic environment:

See Attached

- H. How will the project affect the environmental factors in F?

1. Physical environment:

See Attached - #3

2. Social environment:

See Attached - #3

3. Aesthetic environment:

- I. Where appropriate describe the quality of the environment created by the project and its impact on the expected residents or users of the project.

1. Physical environment:

See Attached - #4

2. Social environment:

See Attached - #4

J. Aesthetic environment:

See Attached - #4

- J. What alternatives to the proposed project were considered and why were they rejected. What additional alternatives can be considered to avoid adverse environmental impacts?

2. Alternative locations or sites:

See Attached - #4

d. Infrastructure: The project has approval for all utilities from each of the appropriate municipal agencies.

Water to be supplied by New York City at 30lb. pressure per square inch from existing City water mains.

Sanitary Sewage will be disposed of to existing adequately sized combined sewers.

Solid Waste Disposal refuse will be disposed of by compactors and compacting machine. Cartage by New York City Sanitation Department.

Storm Sewers and Drainage connected to existing adequately sized combined municipal sewers.

Electricity to be supplied by Consolidated Edison.

Gas for Cooking to be supplied by Brooklyn Union Gas Co. The project will have its own emergency generator to serve the elevators and all public areas.

e. Records of the Bureau of Engineering and technical services of New York City Air Quality Control Board (Environmental Protection Agency) reported for 1973, the air in the area was satisfactory 63% of the time (230 days) and unsatisfactory 37% of the time (135 days). There were five air inversions in 1973. The project will use #2 fuel oil for heating. And solid waste compactors for soild wastes. Therefore, it will not noticeably contribute to air pollution.

2. Existing social environment:

a. Community facilities and services:

All of New York City's facilities are easily accessible by public transportation. Listed below are local facilities.

Schools

The project (Senior Citizens) will have no impact on public schools. Adult education programs are offered at a number of schools near the site.

Ft. Hamilton High School	Shore Road & 85th St.	.3 miles
Bay Ridge High School	67th St & 4th Avenue	1.0 miles
P. S. 185	8601 Ridge Blvd.	.3 miles

Hospitals

		% Utilized	Beds
Lutheran Medical Center	4520 4th Ave.	97.3%	283
Maimonides	4802 10th Ave.	94.3%	654
Victory Memorial	9036 7th Ave.	86.5%	206
V. A. Hospital	800 Poly Place	80.7%	1,000

Lutheran Medical Center is in the process of building a new hospital at 55th Street and 2nd Ave., which will have 532 beds, and will be responsible for on-site medical services to the tenants, including Emergency, Clinic and Ambulance Service.

Fire Department

Engine Company #114 is located 7 blocks east of the site.

Police Station

The 68th Precinct is located approximately one mile north of the site.

Park & Recreational Facilities

The Shore Road Park, adjacent to the site contains walkways, bicycle paths, tennis courts, ball fields and sitting areas. Plans are underway for reclamation of the 09th St. Pier, about 30 blocks North of the site, for fishing and relaxation. Ft. Hamilton Park is offering Bocci Courts, Tennis, Handball, Etc. It is located about $\frac{1}{2}$ mile distance and Dyker Beach Golf Course is about $\frac{1}{2}$ mile from the site.

Recreational facilities are planned for the Shore Hill complex including outdoor and indoor sports and game, exercise and hobby area.

c. Character of Community:

The Community is made up largely of working middle class. Twenty five percent of the population in the area of Bay Ridge is over 60 years of age and contains many low income retirees. Less than Less than 20 percent is under twenty. These calculations are based on 1965 revised census data and statistics published in 1972 by the New York City Planning Commission. The population is overwhelmingly white ethnic, predominately Italian, Irish, Scandinavian, Syrian and Jewish. The population of the community is approximately 120,000.

3. Existing aesthetic environment: (Including properties listed on, or nominated to, the National Register of Historic Places). Location is central to all of New York City's finest aesthetic attributes.

G. How will the environment described in F affect the project:

1a. Physical Environment:

Land Climate - The subsurface conditions will not require (piles) the load bearing capacity is rates at 3 tons per square foot. There are no unusual surface conditions that will require special treatment.

b. The project will be using less than 25% of the site for construction. The remaining open land will be landscaped with gardens, trees, sitting areas and walkways, blending naturally with the contiguous Shore Road Park. Trees on the site will be preserved wherever possible.

c. Surrounding Land use and Physical Character of Area

The project will have minimal impact on the surrounding community as construction is compatible with the area and less than 25% of the site will be used for construction. There will be a modest increase in population density in the immediate area of the project, since the site is now vacant and has been for more than ten years. There will be minimal change in population, density community-wide since residents will come largely from the same community.

d. Infrastructure

The project will have a minimal impact on the surrounding community, which is made up of low and high rise buildings. All sewage utilities and water systems are already in place and can be connected as a normal aspect of the construction process.

e. Air and Noise Pollution Levels

Air pollution levels will be held to a minimum with the use of #2 fuel oil for heating. The project is designed to reduce air born and impact noise. The project will be built in conformity with the recent New York City regulations against contributing to air and noise pollution.

2. Social Environment

The environmental factors described in Section F. above will have no negative effect on the new residents. Most of the residents will come from the surrounding community, and have lived in the area for the greater part of their lives. Since this is a Senior Citizen housing project, many programs will

be planned towards the needs of the Senior Citizen to provide the best possible living conditions to the residents.

3. Aesthetic Environment:

The environment described in Section F is generally descriptive of an urban location. The availability of community services to the residents will have a positive effect on the project.

H. 1.

Physical Environment:

The physical environment of the project area as described in Section F will be unaffected by the addition of 557 units of senior citizens. The housing project is relatively pollution free. The addition of the project does not overtax any supportive systems in the neighborhood.

2.

Social Environment:

The project will have a positive impact on the social environmental factors as described in Section F, bringing new resources for housing recreation and services to a large, often neglected senior citizen population.

3.

Aesthetic Environment:

The new construction through attractive design and landscaping will have a positive impact on the aesthetics of the environmental factors described in Section F.

I. 1. Physical Environment:

The project is being constructed within New York City building code, for maximum safety, light and air. The comfort and safety of the tenants was paramount in the design and location of the buildings, which include community spaces, maximum exposure to light, view and air-noise absorption design - built in safety devices geared to the Senior Citizen - landscaped grounds and many additional amenities for better living.

2. Social Environment:

The sponsor has been working for two years with many local senior citizens and church groups to plan an effective social program for residents. Through effective use of community living space, special services and staffing, Shore Hill will be designed to offset the isolation and loneliness facing most senior citizens in the urban setting. Activities within the complex will allow older people to lead a full social life without restrictive fears of being out alone at night, traveling long distances for companionship, etc. In case of illness or emergency, residents will benefit from direct access to assistance. Features such as an excellent security system at Shore Hill will alleviate many of the anxieties that make life in the City more difficult for older residents.

3. Aesthetic Environment:

The new physical and social environment of the project will have a positive impact to the aesthetics of the surrounding area.

J. a. Alternative Locations or Sites

Since the community need for Senior Citizens housing is overwhelming and no adverse impact on the surrounding area was indicated, no alternatives were seriously considered. The actual design of the buildings was based on dual criteria of aesthetics and cost limitations. This site represents the only large undeveloped and available for residential use in the area.

b. Alternative Sizes and Designs:

The project has gone through a number of changes in design and number of D.U.'s. The first proposal was for a 22 story solid wall of building running from East to West with 664 dwelling units. The second proposal was essentially the same number of dwelling units, but the building was lowered to 16 stories and increased in bulk. The third proposal was for two slim residential buildings and a community one story facility. Each of the buildings were L shaped towers of 22-

stories with 10-story wings, the project contained 653 dwelling units. The fourth and final proposal was for two L shaped buildings of 14-stories each containing 557 dwelling units, and a one story community facilities building. This proposal of two buildings of 14 stories was decided on to afford for the placement of the building for the maximum of light-air and open space and a lower density factor. The City Planning Commission worked together with project architects to explore all alternatives and ultimately produce a configuration wholly compatible with the neighborhood. No adverse environmental impact is anticipated.

K. Measures to Enhance Environmental Quality:

1. Air Pollution - the project will use #2 fuel oil for heating and compactors for solid waste and will not noticeably contribute to air pollution.
2. Noise Levels:
The design of the building described in (Section F) will not impact the surrounding area. On site parking of the residents' cars will reduce automobile noise to the surrounding streets, and have no visual pollution or add to the parking problems. The parking area will be screened from the surrounding area with plantings and trees.
3. Community Facilities:
The project will have very little impact on the community facilities, infact the project will make available space for the surrounding community, for social and community projects.
4. Aesthetic Environment:
The site will be landscaped with plantings, walkways, sitting areas and will afford a park like setting.
5. Utilities and Services:
This site represents one of the only large undeveloped land areas available for residential use. All required utilities and services are available at and adequate for the needs of the project.
6. Adverse Environmental Impacts
There is no long run impact to the Community or will the project require additional services of facilities. The project will benefit the community by preserving the stability of the older residents being able to remain in the area.

L. All necessary approvals from appropriate City Agencies (City Planning Commission, Board of Estimate) have been obtained including zoning, plans building department, water resources, Department of Sanitation, Electricity (Con Ed) Gas (Brooklyn Union).

The project conforms with all measures taken by Government Bodies to enhance environment of neighborhood.

The sponsor has worked closely with the community, the City of New York and Department of Housing and Community Renewal in formulating the plans for the project. All of the bodies and individuals have voted in the affirmative to construct the project.

The Local Community Planning Board has unanimously endorsed construction of Senior Citizen housing on this site, but had been divided on the question of how high the building should be. Supporting groups, emphasizing the great need for such housing and the desirability of the sponsor, include such civic organizations as Bay Ridge Association of Senior Citizens, Lutheran Action Council, Bay Ridge Forum, Bay Ridge Health Resources Committee, Catholic Charities of Brooklyn Office of the Aging, twenty Bay Ridge Church groups and the local Senior Citizens Clubs. Opposition, which has now largely subsided, including the Bay Ridge Civic Improvement Association and the ad hoc Bay Ridge Action Committee. Objections were to height of building (originally 22 stories, but cut down to 14), fear it could degenerate into a Welfare Hotel or drug treatment center, and fear that it could change the social and ethnic characteristics of the neighborhood.

b. Alternative sizes & designs:

See Attached - #5

- K. Describe provisions of the proposal which were specifically designed to reduce adverse environmental impacts or to enhance environmental quality. Describe abatement measures which were rejected and the reasons for rejection (estimate costs). Describe measures other than those included in the project being taken or planned to enhance environmental quality or reduce adverse environmental impacts.

See Attached - #5

- L. What are the known views of governmental bodies, private organizations, local citizens etc. concerning the proposed project? Identify known or potential opposition groups and their views.

See Attached - #7

- M. Certification: The applicant/sponsor identified in block A hereby certifies that the information furnished in this Applicant's Environmental Assessment is true and accurate to the best of his (its) knowledge.

Date 2-27-74

Signature W.C. Adams

Title PRESIDENT

Primary Service Area
of Lutheran Medical Center
shown in Blue

- ★ Lutheran Medical Center
- ◎ American Machine and
Foundry Site

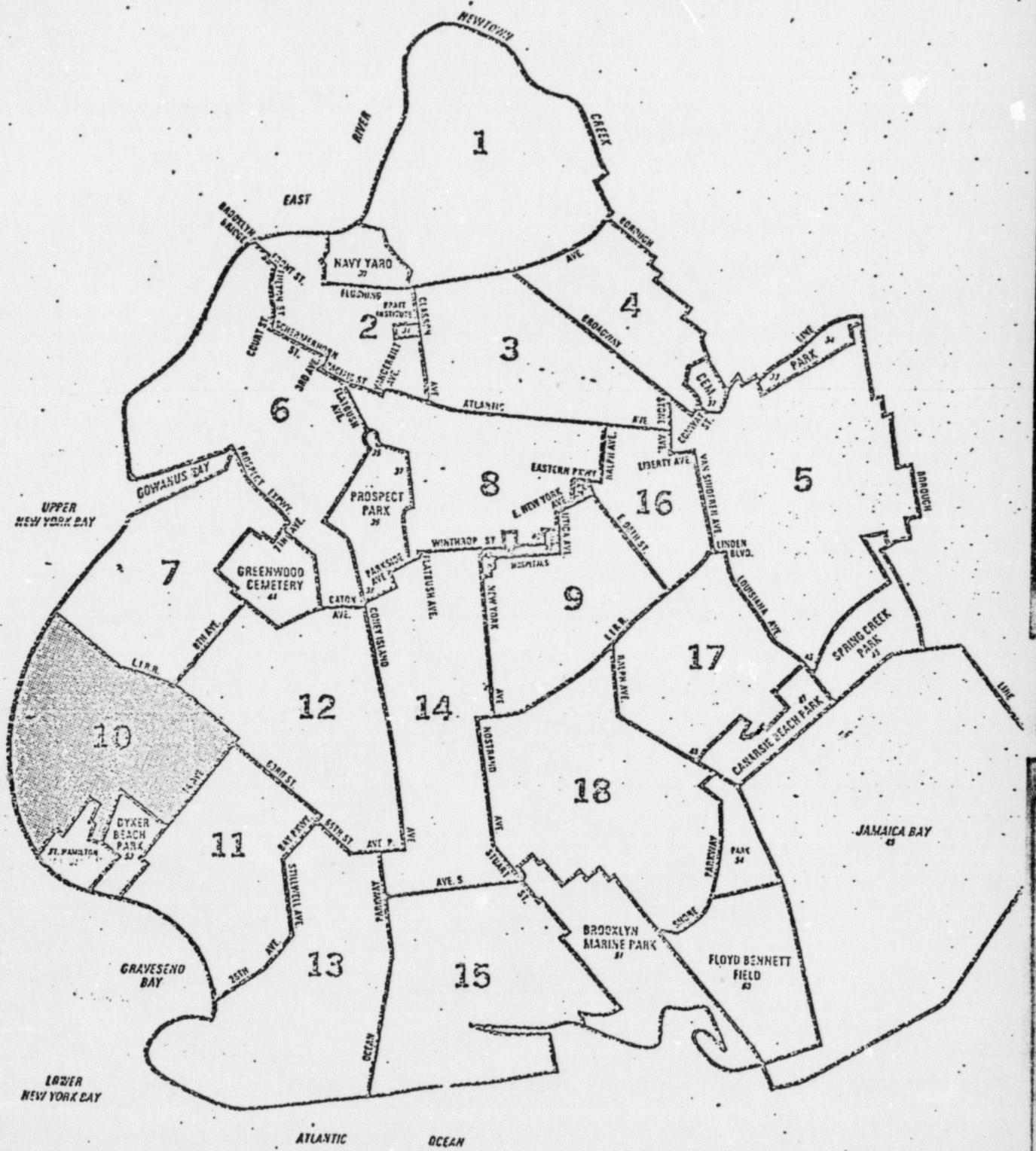
NEW YORK
HARBOR

Shore Hill Housing

BRIDGE

Heavy line delineates community
in which Shore Hill Housing
is to be located

BROOKLYN
* CEDARWOOD CITY PLANNING DISTRICT L.I.D.



* Area for Shore Hill Housing Program

三

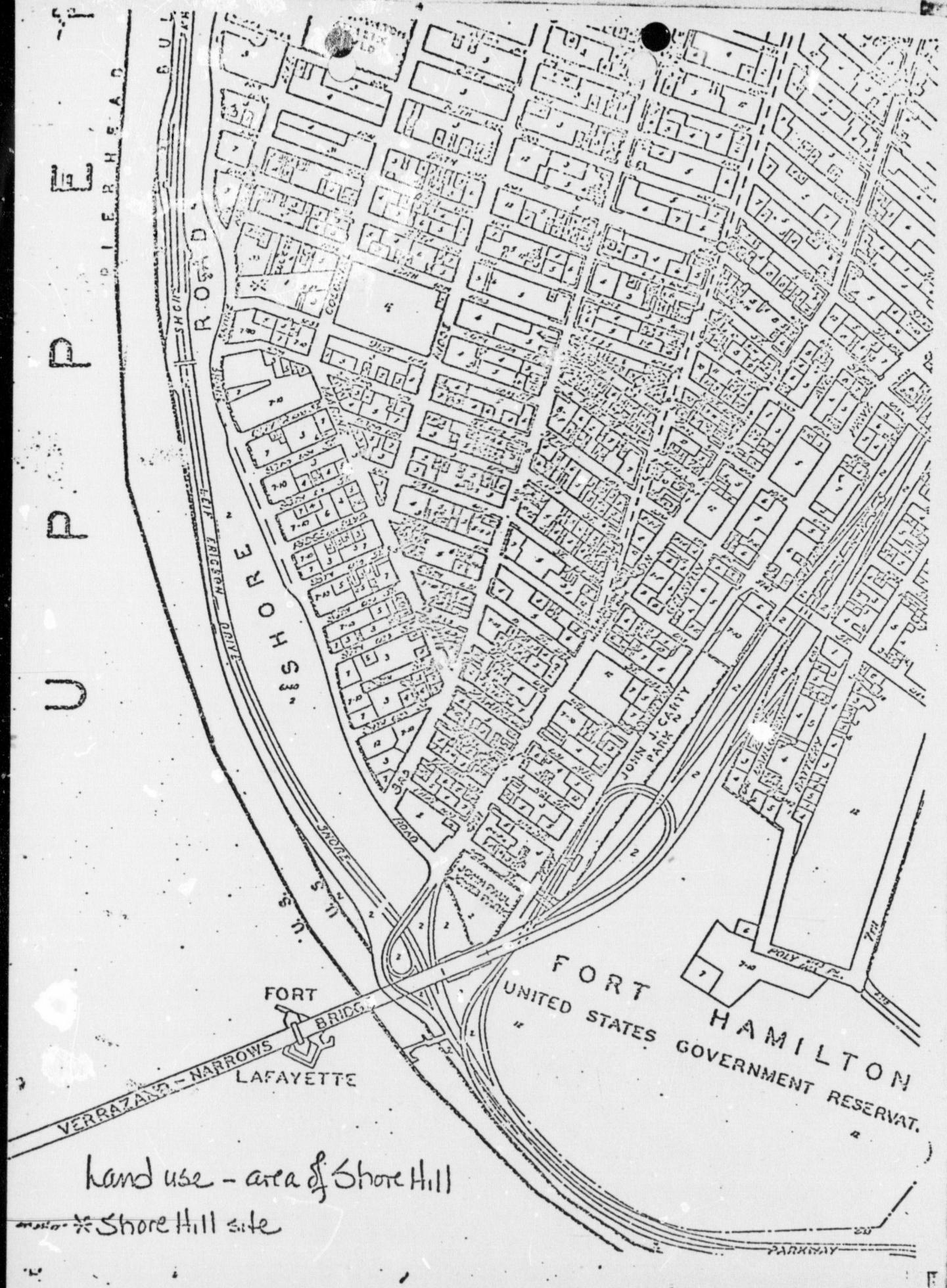
HISTOLOGY

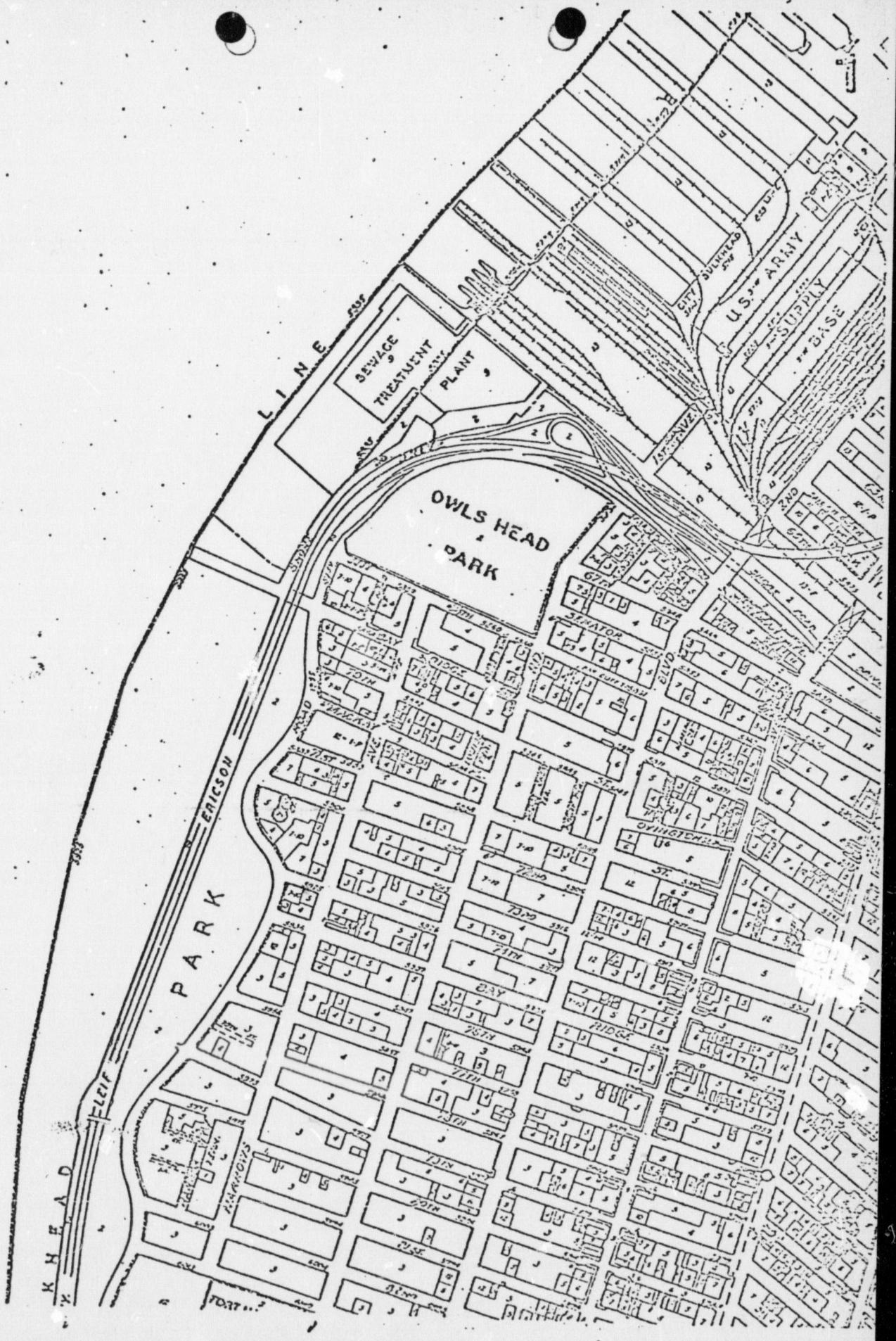
10/8-73



.C/S-73







270/3-73

RELIGIOUS INSTITUTIONS

1.9

Chapman & Hall



210/8-73

RELIGIOUS INSTITUTIONS

1.10

RELIGIOUS INSTITUTIONS

Brooklyn Community Planning District 10

BAPTIST

1. Bay Ridge Baptist Church
6701 4th Avenue, Brooklyn, N.Y.
(BE8-0555)
2. Borough Park Baptist Church
1105 67th Street, Brooklyn, N.Y.
(BE2-1418)
3. Brooklyn Baptist Tabernacle
424 77th Street, Brooklyn, N.Y.
(836-4276)
4. Lefferts Park Baptist Church
7524 14th Avenue, Brooklyn, N.Y.
(CL9-0831)

CHRISTIAN SCIENCE

5. Second Church
340 67th Street, Brooklyn, N.Y.
(SH8-8244)

COVENANT

6. Pilgrim Covenant Church
7626 4th Avenue, Brooklyn, N.Y.
(TE6-4345)

EASTERN ORTHODOX

7. St. Mary's Orthodox Church
8100 Ridge Boulevard,
Brooklyn, N.Y.
(748-0097)

EPISCOPAL

8. Christ Church Bay Ridge
7301 Ridge Boulevard, Brooklyn, N.Y.
(SH5-3698 / SH5-9312)

9. St. John's Episcopal Church
9818 Fort Hamilton Parkway
Brooklyn, N.Y.
Rector: (745-2377)
Parish House: (745 9527)

10. St. Philip's Church of Dyker Heights
11th Avenue & 80th Street, Brooklyn
N.Y. (SH5-9021)

EVANGELICAL FREE

11. First Evangelical Free Church
6523 6th Avenue, Brooklyn, N.Y.
(SH5-7775)

GREEK ORTHODOX

12. Holy Cross Greek Orthodox Church
8401 Ridge Boulevard, Brooklyn, N.Y.
(836-3510)

LUTHERAN

13. Bethlehem Lutheran Church
440 Ovington Avenue, Brooklyn, N.Y.
(748-9502)

14. Lutheran Church of the Good Shepherd
7420 4th Avenue, Brooklyn, N.Y.
(745-8520)

15. Lutheran Church of the Redeemer
939 83rd Street, Brooklyn, N.Y.
(833-7700)

16. Our Saviour's Lutheran Church
414 80th Street, Brooklyn, N.Y.
(SH5-0020)

17. Salem Evangelical Lutheran Church
345 Ovington Avenue, Brooklyn, N.Y.
(SH8-4024)

18. Salem Lutheran Church
450 67th Street, Brooklyn, N.Y.
(748-7770)

19. Trinity Lutheran Church
9020 3rd Avenue, Brooklyn, N.Y.
(SH5-0158)

PENTECOSTAL

20. Calvary Tabernacle Church
6320 7th Avenue, Brooklyn, N.Y.
(745-7915)

PRESBYTERIAN

21. Bay Ridge United Presbyterian
Church
636 Bay Ridge Parkway, Brooklyn,
N.Y.
(748-0955)

22. Fort Hamilton Presbyterian
Church
367 94th Street, Brooklyn, N.Y.
(TE3-6352)

23. Fourth Avenue Presbyterian Church
6753 4th Avenue, Brooklyn, N.Y.
(TE6-0681)

24. Union Church of Bay Ridge
8101 Ridge Boulevard, Brooklyn,
N.Y.
(SH5-9075)

ROMAN CATHOLIC

25. Our Lady of Angels Church
7320 4th Avenue, Brooklyn, N.Y.
(TE6-7200)

26. St. Andrews the Apostle
6713 Ridge Boulevard, Brooklyn, N.Y.
(680-1010)

27. Saint Bernadette's Church
8201 13th Avenue, Brooklyn, N.Y.
(837-3400)

28. Saint Ephrem's Church
929 Bay Ridge Parkway, Brooklyn, N.Y.
(833-1010)

29. Saint Patricks Roman Catholic Church
9511 4th Avenue, Brooklyn, N.Y.
(BE8-2600)

30. Saint Rosalea's Roman Catholic Church
63rd Street & 14th Avenue,
Brooklyn, N.Y.
(BE2-5421)

UNITED METHODIST

31. Bay Ridge United Methodist Church
7002 4th Avenue, Brooklyn, N.Y.
(839-0543)

SYNAGOGUES

32. Bay Ridge Jewish Center
8025 4th Avenue, Brooklyn, N.Y.
(TE6-3103)

SCHOOLS IN DISTRICT 20



210/8-73

* Shore Hill site

210/8-73

COMMUNITY SCHOOL DISTRICT 20**

Schools in Brooklyn CPD 10

<u>School</u>	<u>Construction</u>			<u>Capacity</u>			<u>Total Enroll.</u>
	<u>Date¹</u>	<u>Type²</u>	<u>Grades</u>	<u>Main Bldg.</u>	<u>Add'l Enroll.³</u>	<u>Total⁴</u>	
P.S. 102 211 72nd Street 748-7404	1900 1930	A	PK-6	1,368	L-15	1,383	1,231
P.S. 104 9115 Fifth Avenue 748-5722	1907 1928	A	K-8	1,387	--	1,387	1,137
P.S. 127 79th Street & Seventh Avenue 833-2323	1900	A	K-6	627	--	627	666
P.S. 170 7109 Sixth Avenue 748-1250	1915 1964	A	K-6	902	--	902	750
P.S. 176 1225 69th Street 236-7755	1914 1931 1962	A/X	K-6	1,340	--	1,340	1,041
P.S. 185 8601 Ridge Boulevard 745-6610	1921	A	K-6	922	--	922	440
J 201 8010 12th Avenue 833-9363	1925 1936	A	7-9	1,526	--	1,526	1,402

School	Construction			Capacity			Total Enroll.
	Date ¹	Type ²	Grades	Main Bldg.	Add'l. Enroll. ³	Total ⁴	
J 239 7305 Fort Hamilton Parkway 833-1000	1939	A ..	7-9	1,115	--	1,115	1,188
Ridge H.S. 67th Street & 4th Avenue 748-0204	1915 1952	A	9-12	1,636	A (see annex below)	1,636	2,668
Bay Ridge H.S. Annex (P 187) 1171 65th Street 232-2535	1923	A	9-10	*952	--	*952	948
Fort Hamilton H.S. * 5301 Shore Road 748-1537	1941	A	9-12	2,656	--	2,656	3,852

1. The first date given is original construction date. Subsequent dates mark additions and renovations.

2. A= fireproof throughout

B= structurally fireproof

C= interior framing not fireproof

AC= combination of A/B/C (more than one structure within school property)

X= Title I school which receives Federal funds under the Elementary and Secondary Education Act to provide programs for educationally - and economically - disadvantaged children.

3. P= Portable

M= Mini-school/multi-unit temporary

L= Leased space

A= Annex

4. Total capacity is the total of main building capacity plus enrollment figures for additional structures.

* Exact figures not available, figures for main building capacity and total capacity are approximated for annex.

** Figures are for 1972-1973

COMMERCIAL STREETS

6.4



210/8-73



NURSING HOMES & RELATED FACILITIES

8.4

Ground





FIRE COMPANIES

93

DIRECTORY OF FIRE HOUSES

Brooklyn Community Planning District 10

<u>Company</u>	<u>Address</u>	<u>Date Built</u>
Engine 241 Ladder 109	6630 Third Avenue	1971
Engine 242 *Satellite 3	9219 Fifth Avenue	1895
Engine 284 Ladder 149 Thawing Apparatus	1157-1161 79th Street	1912

* Super Pumper

210/2-73

OCCUPIED HOUSING UNITS IN SUNSET PARK AND
BAY RIDGE, BY HEALTH AREA AND
BY NUMBER OF PERSONS IN UNIT, 1970

POLICE PRECINCTS



210/8-73

PARKS & PLAYGROUNDS

10.2
Ground



210/8-73

PARK & PLAYGROUND FACILITIES

10.3

DIRECTORY OF PARKS AND FACILITIES*

Brooklyn Community Planning District 10

Park

Acreage

1.	Dyker Beach Park	217.0
	Facilities: Recreation Area - Bay 8th Street & Cropsey Avenue, Golf Course, Baseball, Boccie, Fishing, Football, Nature Trails & Wildlife Refuges, Soccer, Softball & Little League, Stadium, Tennis Playground - 14th Avenue & 86th Street	
2.	John Paul Jones Park	5.0
3.	Leif Ericson Park & Square	17.0
	Facilities: Roller Hockey, Tennis Playground #1 - 4th Avenue - 6th Avenue, 66th Street - 67th Street Playground #2 - 8th Avenue - 9th Avenue, 66th Street - 67th Street	
4.	McKinley Park	8.5
	Facilities: Comfort Station, Playground Equipment, Checker Table, Sand Pit, Softball Diamond, Basketball Court, 10 Tennis Courts	
5.	Owl's Head Park	27.0
	Facilities: Kite Flying, Comfort Station, Playground Equipment, Sand Pit, Basketball Court, Ice-Skating Rink, Large Playing Fields	
6.	Shore Road and Park	135.0
	Facilities: Baseball, Football, Roller Hockey, Tennis. Playground #1 - Shore Parkway, 74th Street - 77th Street Playground #2 - Shore Parkway, Ft. 79 Street Playground #3 - Shore Parkway, 82nd Street - 83rd Street Playground #4 - Shore Parkway, 94th Street - 95th Street Playground #5 - Shore Parkway, 95th Street - 97th Street Playground #6 - Shore Parkway, 98th Street - 4th Avenue	
7.	Leif Ericson Playground	1.5
	Facilities: Drinking fountains, Softball Diamond	
8.	Russell Pedersen Playground	1.5
	Facilities: Playground Equipment, Sand Pit, Baseball Diamond, Football, Soccer, Basketball Courts, Handball Courts, 4 Tennis Courts, Volleyball Courts, Portable Bleachers	

Park

Acreage

9. Gowanus Expressway Playground - Ft. Hamilton Parkway - Gowanus Parkway, 94 Street - 101 Street	7.5
10. P.S. 201 - Playground Facilities: Comfort Station, Playground Equipment, Checker Table, Drinking Fountain, Picnic Table, Sand Pit, Junior Little League Field, Basketball Court, Handball Court	1.0

- * 1. Only includes parks & playgrounds whose acreage is 0.9 or larger.
- 2. Only includes parks & playgrounds that are either owned or maintained by The Parks Recreation & Cultural Affairs Administration.

LIBRARIES

10.4



LIBRARIES

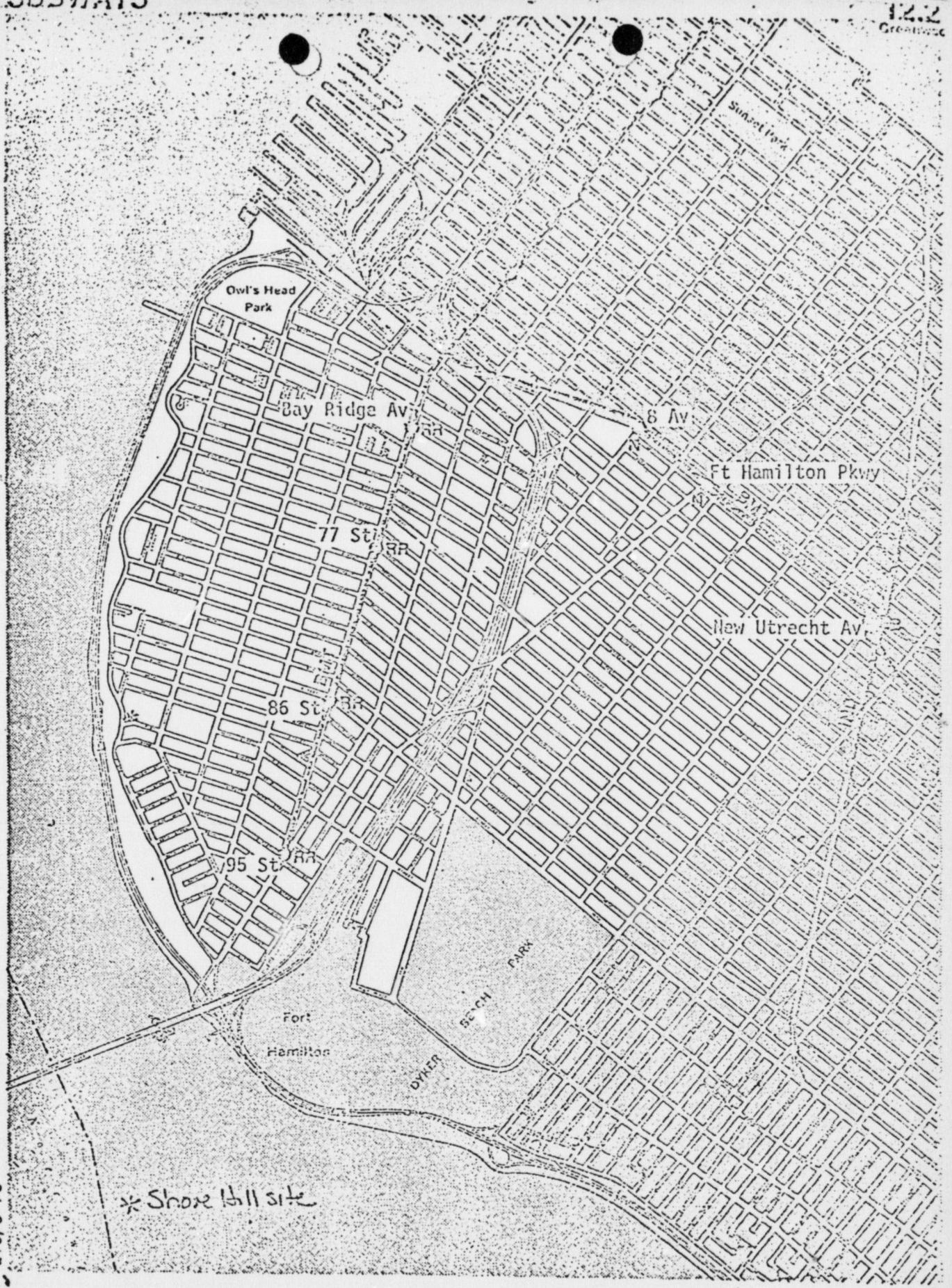
10.5

DIRECTORY OF LIBRARIES

Brooklyn Community Planning District 10

	<u>Capacity of Meeting Rooms</u>	<u>Adult Collection*</u>	<u>Juvenile Collection*</u>
Bay Ridge Branch 7223 Ridge Boulevard at 73 Street 748-3042 Building Owned	100	32,800	16,806
Ft. Hamilton Branch 9424 4th Avenue at 95th Street 745-5502 Building Owned	None	15,181	7,983
McKinley Park Branch 6802 Fort Hamilton Parkway at 68 Street 748-5800 Lease Expires: 10/31/78	60	14,775	9,156

* Figures as of March 31, 1973



BUS ROUTES

12.3
Gatineau



Summary of
Community Facilities.

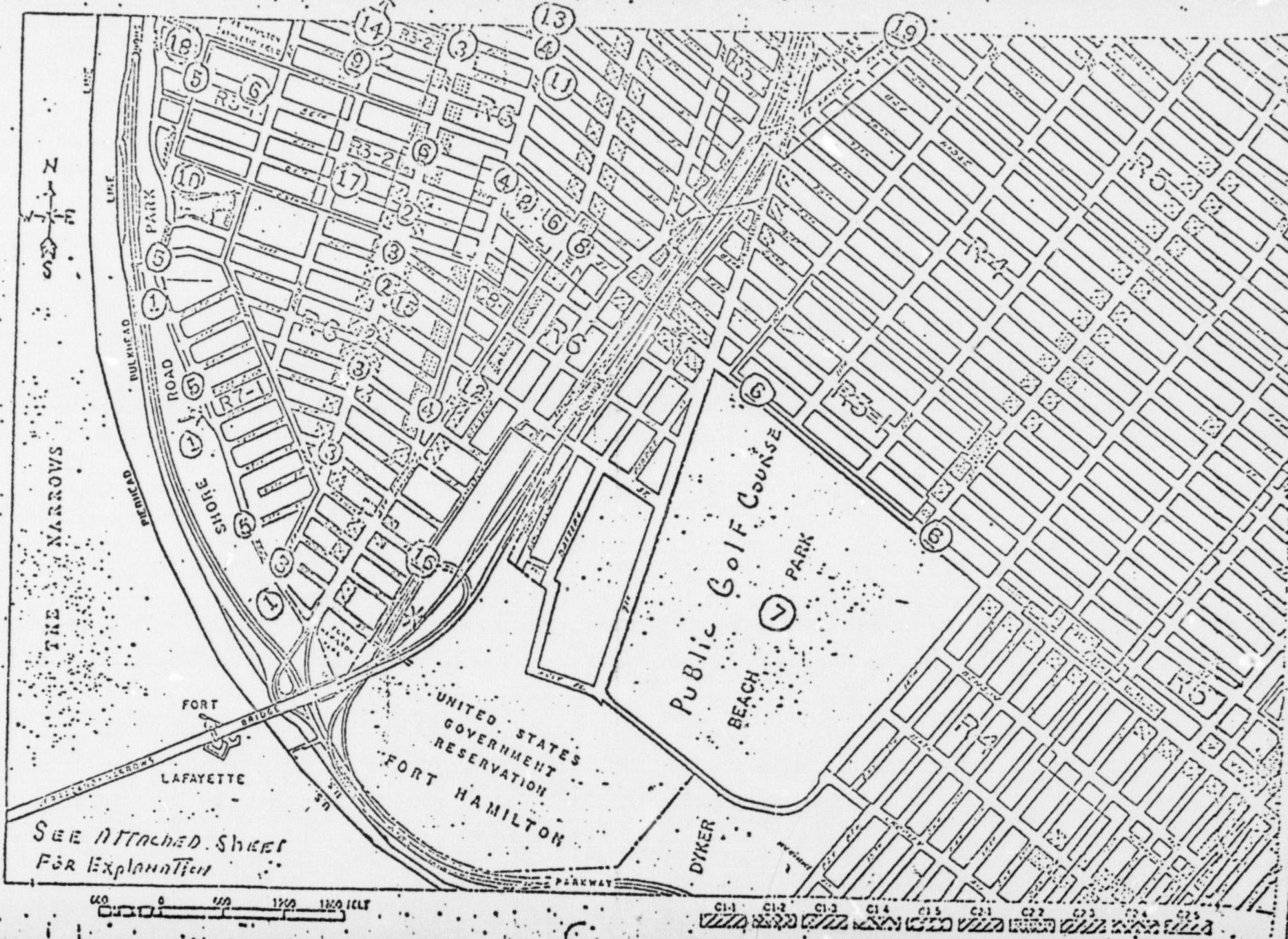
EXHIBIT "C"
LUTHERAN MEDICAL CENTER
COMMUNITY FACILITIES.

(attached)

1. Shore Road Park.
2. Daily and major shopping area. Third Avenue.
3. Third Avenue Bus route.
4. Fourth Avenue subway line to New York City with stops at 95th Street and 86th Street.
5. Shore Road bus route.
6. 86th Street bus route.
7. Public Golf Course.
8. Daily and major shopping area. 86th Street.
9. Holy Cross Greek Orthodox Church.
10. Well aged housing site.
11. St. Anselm R.C. Church.
12. St. Patrick's R.C. Church.
13. Bay Ridge Jewish Center. 3025 Fourth Avenue.
14. St. Mary's Syrian Orthodox Church. 8100 Ridge Boulevard.
15. Trinity Lutheran Church.
16. St. John's Episcopal Church.
17. Public School 185. 8601 Ridge Boulevard.
18. Fort Hamilton High School. 8301 Shore Road.
19. William McKinley High School. 7301 Ft. Hamilton Parkway.
20. Site of the new Lutheran Medical Center. 56th Street and Second Avenue.

EXHIBIT "C"

SITE OF New Lutheran Med. CENTER
50'S FT. 228 AVE.



POPULATION DENSITY: OCCUPIED HOUSING UNITS
 IN SUNSET PARK AND BAY RIDGE,
 BY HEALTH AREA AND BY NUMBER OF
 PERSONS PER ROOM, 1970

Health Area	HOUSING UNITS BY PERSONS PER ROOM						
	Total	1.00 Persons Occupied or less	1.01-1.50 Persons	1.51 or more Persons	N	%	N
	Housing Units				N	%	N
Bay Ridge							
76	11,297	10,668	94.4	504	4.5	125	1.1
78.10	12,052	11,492	95.4	414	3.4	146	1.2
78.20	3,855	3,641	94.4	165	4.3	49	1.3
79.10	5,524	5,258	95.2	219	4.0	47	.8
79.20	5,258	4,987	94.8	238	4.6	33	.6
80.10	5,319	4,900	92.1	367	6.9	52	1.0
80.20	4,224	3,874	91.7	302	7.2	48	1.1
BR-Sub Total	47,529	44,820	94.3	2,209	4.6	500	1.1
Service Area (SP & BR) Total	84,422	77,859	92.3	5,184	6.1	1,379	1.6

Source: 1970 U.S. Census

OCCUPIED HOUSING UNITS IN BAY RIDGE AND SUNSET PARK
BY HEALTH AREA, BY NUMBER OF PERSONS PER ROOM AND TENURE, 1969

Health Area	1.00 Persons or less			1.01 to 1.50 Persons			1.51 Persons or more			Total
	Own	Rent	Total	Own	Rent	Total	Own	Rent	Total	
Bay Ridge										
76	2811	7857	10668	105	399	504	14	111	125	11297
78.10	2432	9060	11492	67	347	414	9	137	146	12052
78.20	1414	2227	3641	56	109	165	6	43	49	3855
79.10	1647	3611	5258	62	157	219	6	41	47	5524
79.20	2385	2602	4987	96	142	238	9	24	33	5258
80.10	1922	2978	4900	124	243	367	11	41	52	5319
80.20	1130	2744	3874	69	233	302	8	40	48	4224
Total		77859			5184			1379	84422	

Source: 1970 U. S. Census

OCCUPIED HOUSING UNITS IN SUNSET PARK AND
BAY RIDGE, BY HEALTH AREA AND
BY NUMBER OF PERSONS IN UNIT, 1970

Health Area	NUMBER OF PERSONS IN UNIT								Total
	1	2	3	4	5	6	7	8+	
Bay Ridge									
76	3029	3822	1781	1339	727	332	165	102	11297
78.10	3695	4536	1732	1116	576	245	101	51	12052
78.20	876	1330	624	513	314	127	52	19	3855
79.10	1429	1795	928	709	379	156	79	49	5524
79.20	849	1632	1050	910	437	246	81	53	5258
80.10	806	1596	1117	957	510	219	73	41	5319
80.20	797	1421	822	636	334	145	46	23	4224
Total	19372	26741	14659	11593	6541	3079	1377	1060	84442

Source: 1970 U. S. Census

NYC PLANNING DISTRICT 10: POPULATION
BY SEX AND BY AGE, 1970

Age	Total	% in Age Group	Population		% Male
			Male	Female	
0 - 4	7,844	6.1	3,962	3,882	50.5
5 - 14	16,486	12.8	8,393	8,093	50.9
15 - 24	17,708	13.7	8,359	9,349	47.2
25 - 34	14,023	10.8	6,950	7,073	49.6
35 - 44	13,985	10.8	6,651	7,334	47.6
45 - 54	17,450	13.5	7,742	9,708	44.4
55 - 64	19,651	15.2	8,418	11,233	42.8
65+	<u>22,104</u>	<u>17.1</u>	<u>9,071</u>	<u>13,033</u>	<u>41.0</u>
TOTAL	129,251	100%	59,546	69,705	46.1

Source: 1970 U. S. Census

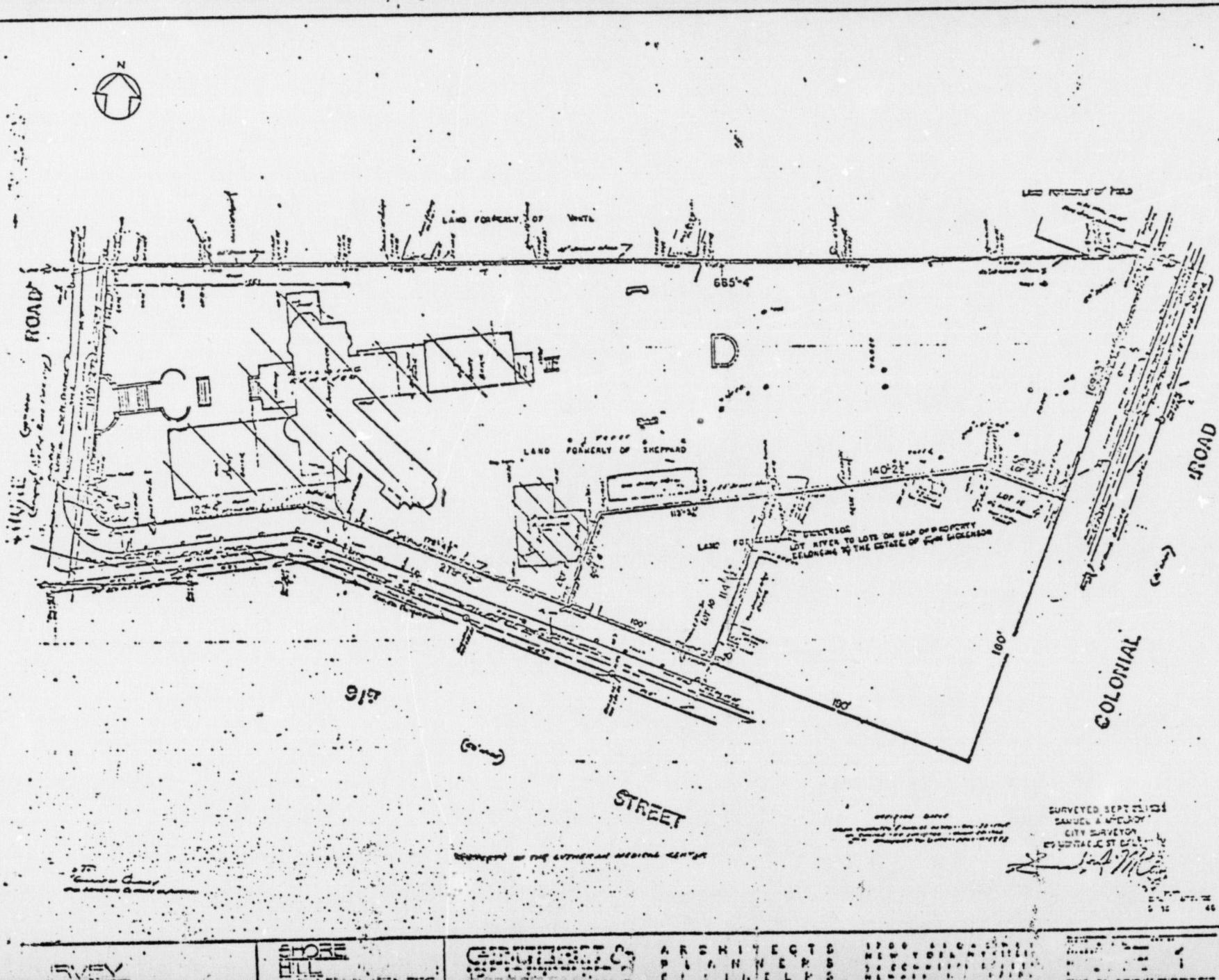
Attachment 3

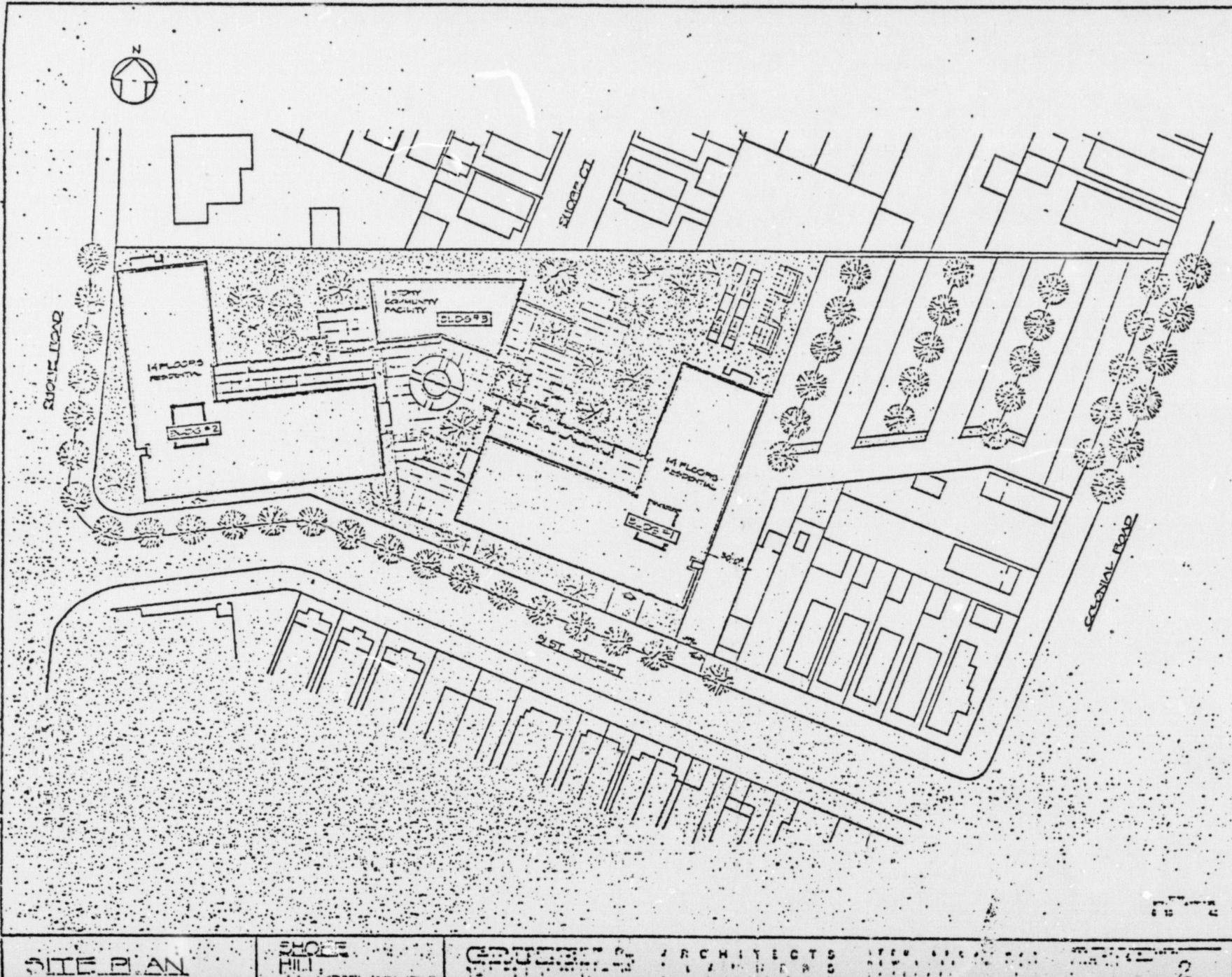
SHORE HILL APARTMENTS

BROOKLYN NEW YORK

INDEX

1. SURVEY
2. SITE PLAN
3. GROSS BLOCK PLAN.
4. PLAT OF LANDS.
5. TYPICAL FLOOR PLAN
6. ELEVATIONS
7. ELEVATION
8. ZONING & STATISTICS.



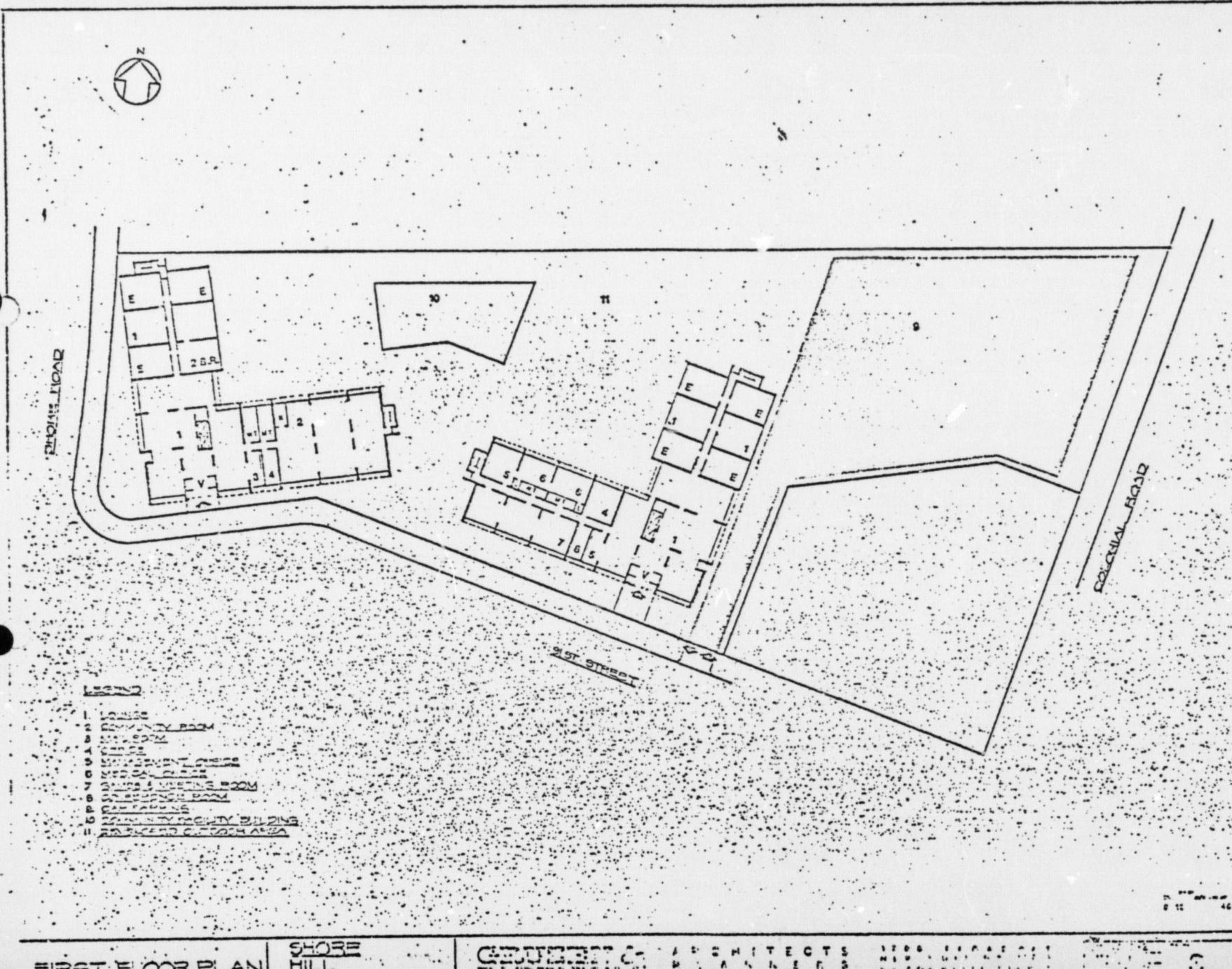


SITE PLAN

SHORE
HILL

GROUP OF ARCHITECTS
LAWRENCE & LINDNER

2

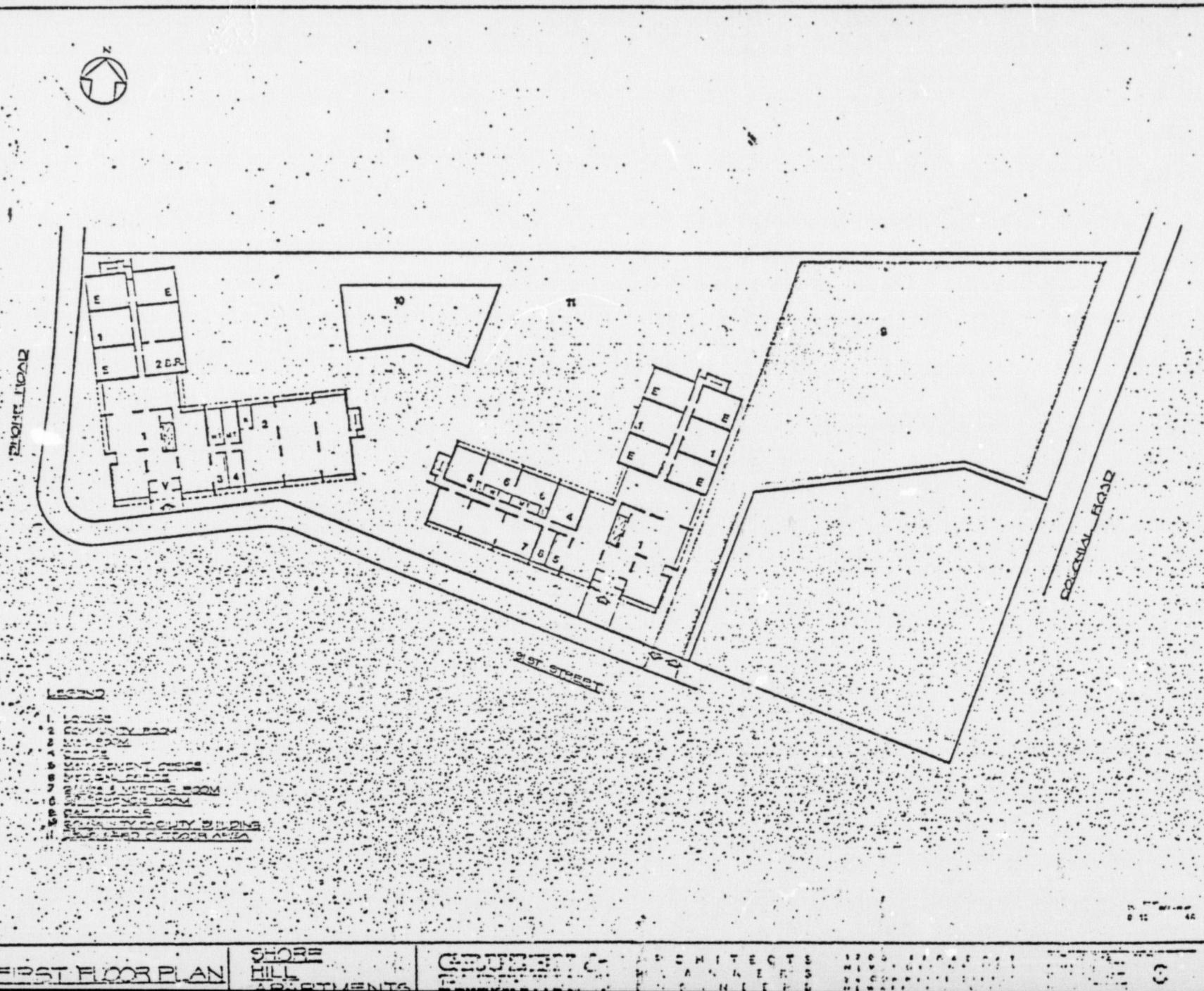


FIRST FLOOR PLAN

SHORE
HILL

GEORGE S. COOPER & ASSOCIATES ARCHITECTS NEW YORK CITY

1705 1706 1707 1708 1709 1710 1711 1712 1713



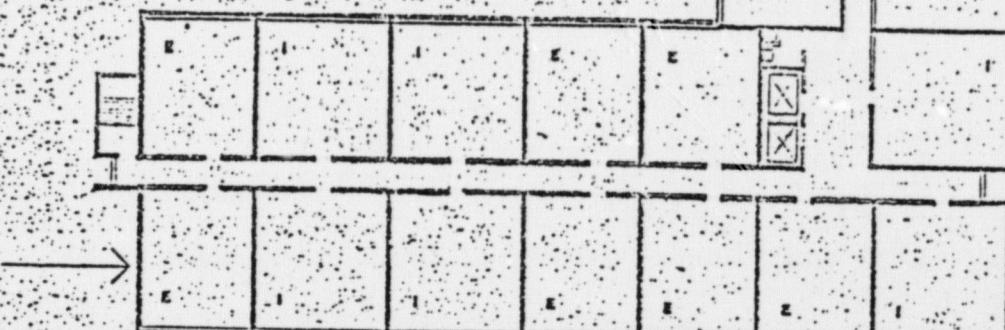
FIRST FLOOR PLAN

SHORE
HILL
APARTMENTS

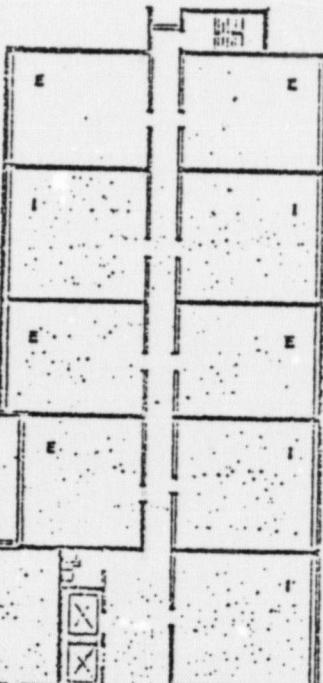
GROBET & ARCHITECTS 1700 LIPPS
MANAGERS 1111 LIPPS
PLATE 24 COPPER

3

TYPE	E	I
APTS/R	12	9
TOTAL	135	117



HOSES 2-14



APT. DISTRIBUTION				
BLDG.	APT. TYPE	E	I	TOTAL
BLDG. 1	FLO 2-14	156	117	273
	1ST FL.	4	2	6
	TOTAL 1	160	119	279
BLDG. 2	FLO 2-14	156	117	273
	1ST FL.	3	1	5
	TOTAL 2	159	118	273
TOTAL		319	237	556

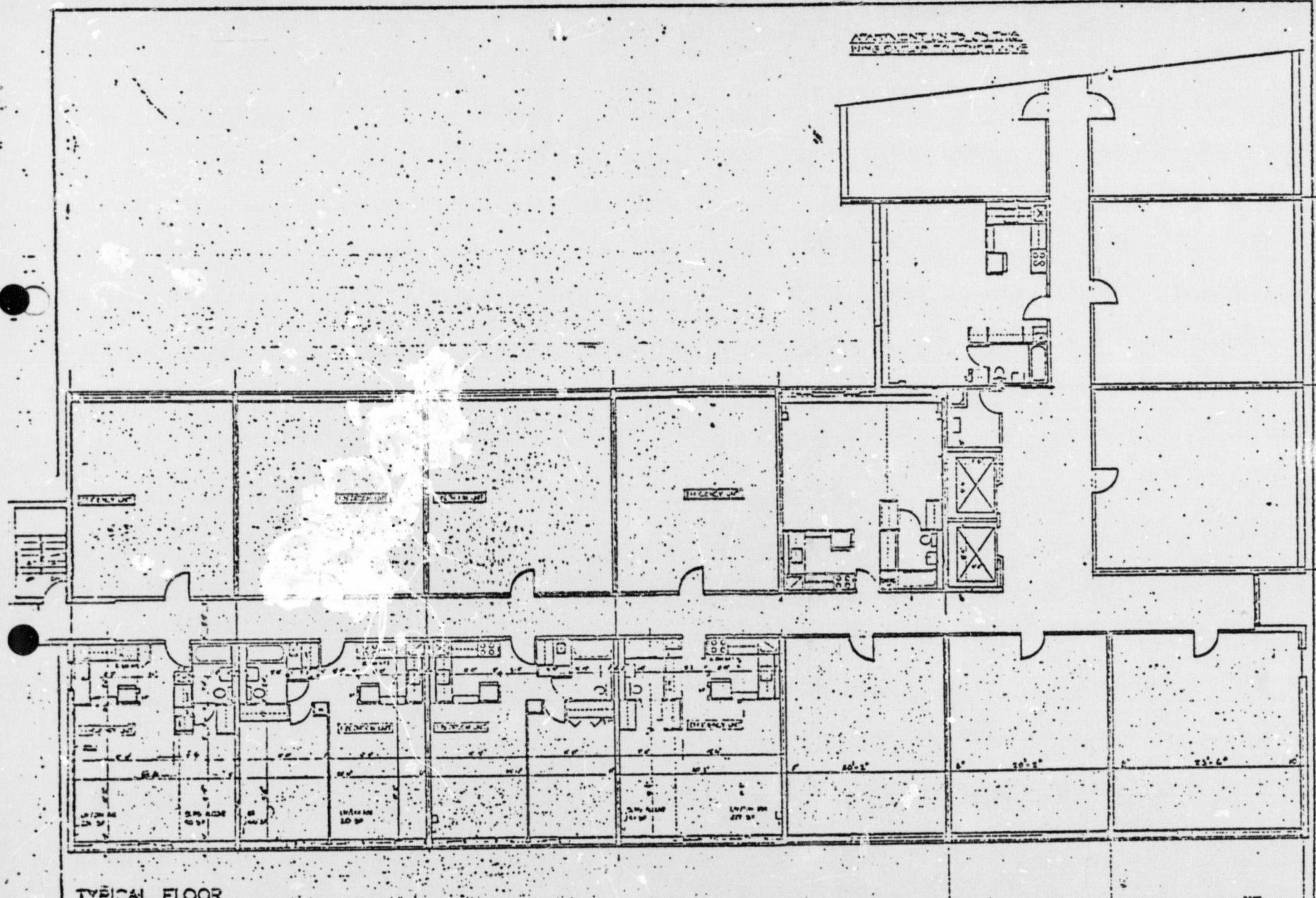
FLOOR PLANS

SHORE
HILL
APARTMENTS

GRUENWALD & PARTNERS ARCHITECTS PLANNERS ENGINEERS

PRINTING
14 15

**STATEMENT OF THE
FIRE CHIEF OF ST. LOUIS**



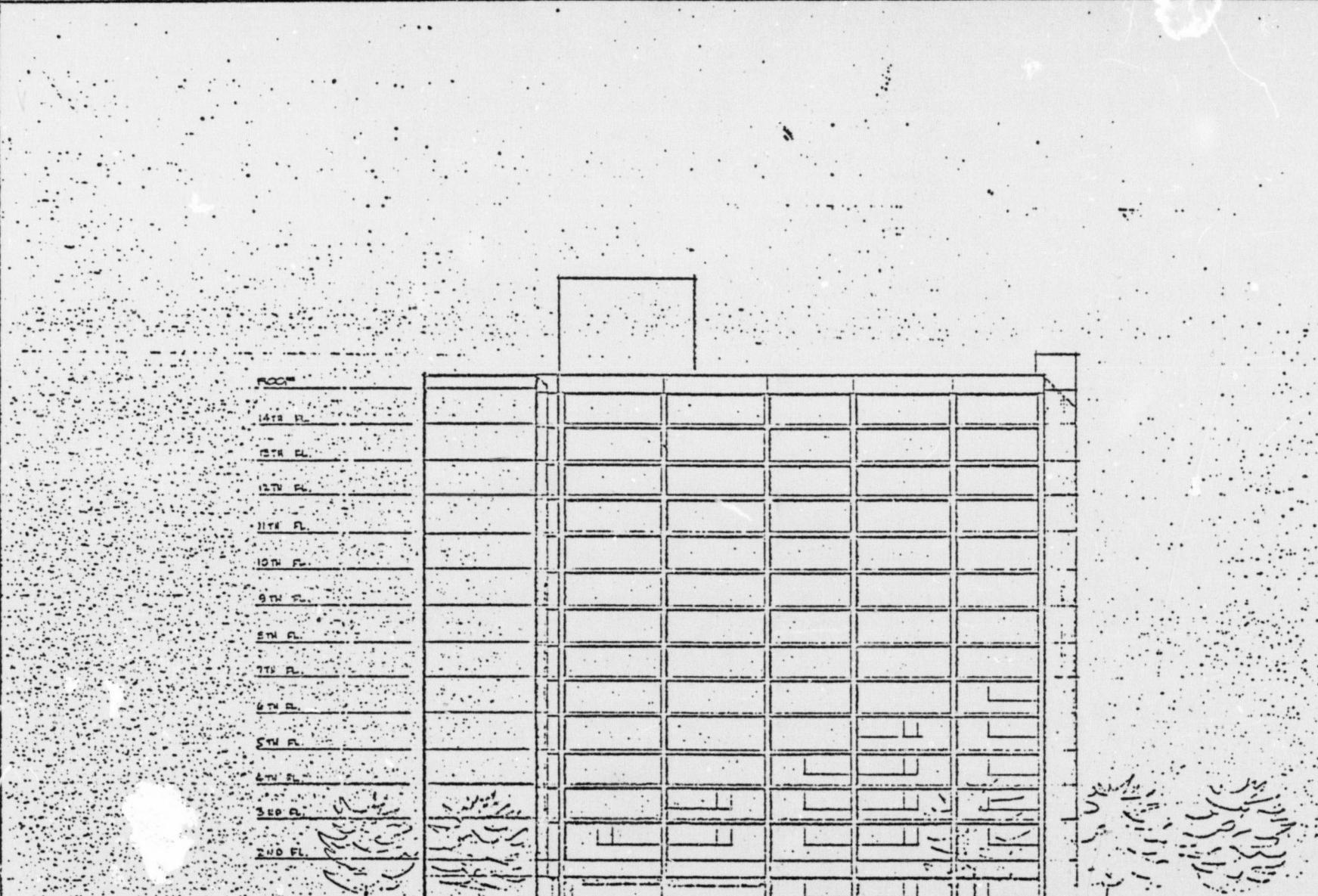
TYPICAL FLOOR

— FEDERAL BLOCPLAN

**SHORE
HILL**

GRATZER & CO. ARCHITECTS

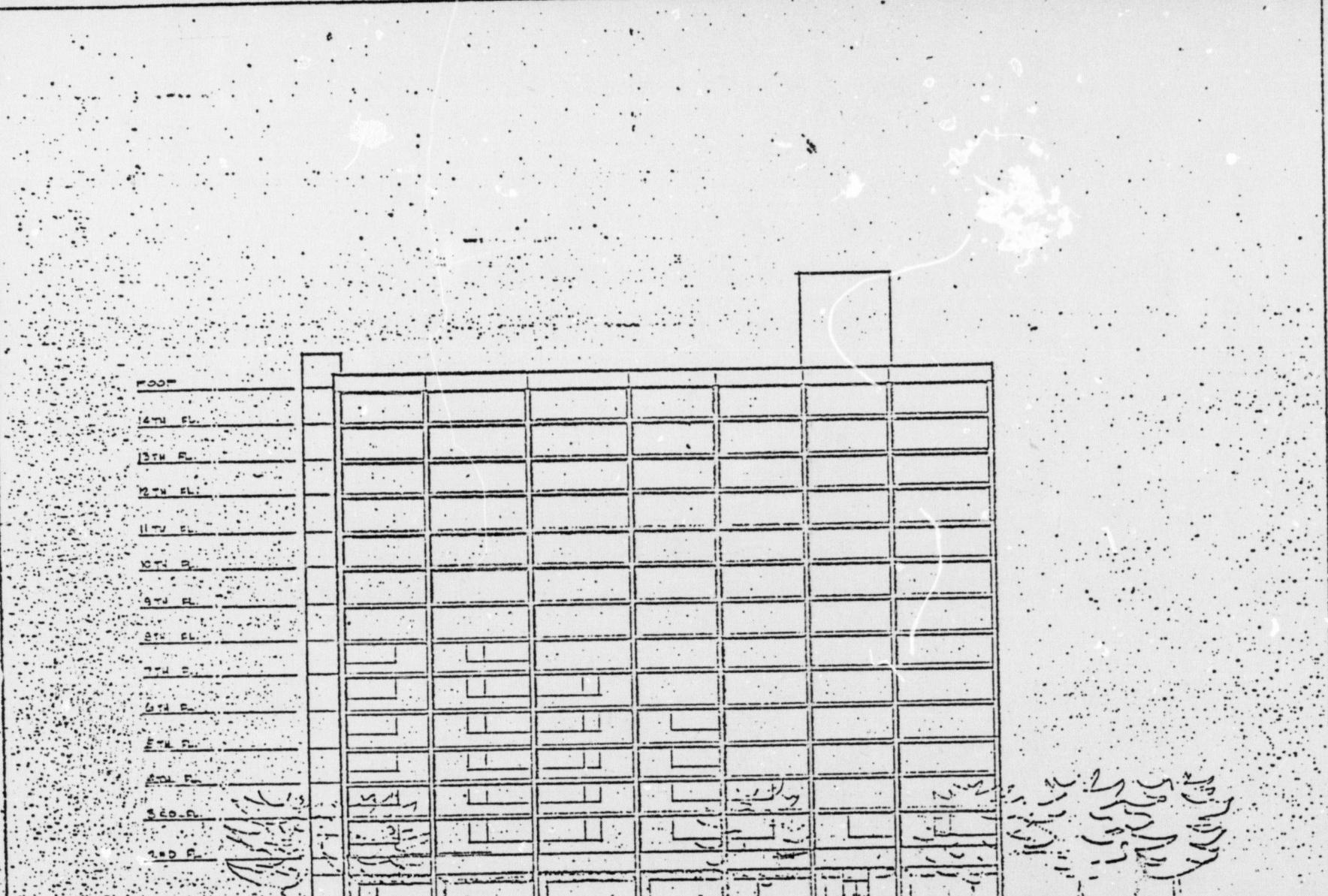
1780 - 6755700



ELEVATION

SHADE
EILL

GENERAL CONTRACTOR: HILLMAN CO. INC. 7



ELEVATION

SHORE
HILL

CONSTRUCTION

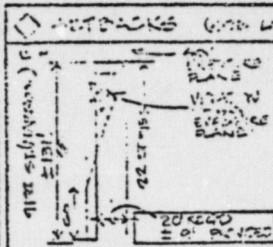
ARCHITECTS
PLANNERS
DESIGNERS

W.P.C. ASSOCIATES
INC.

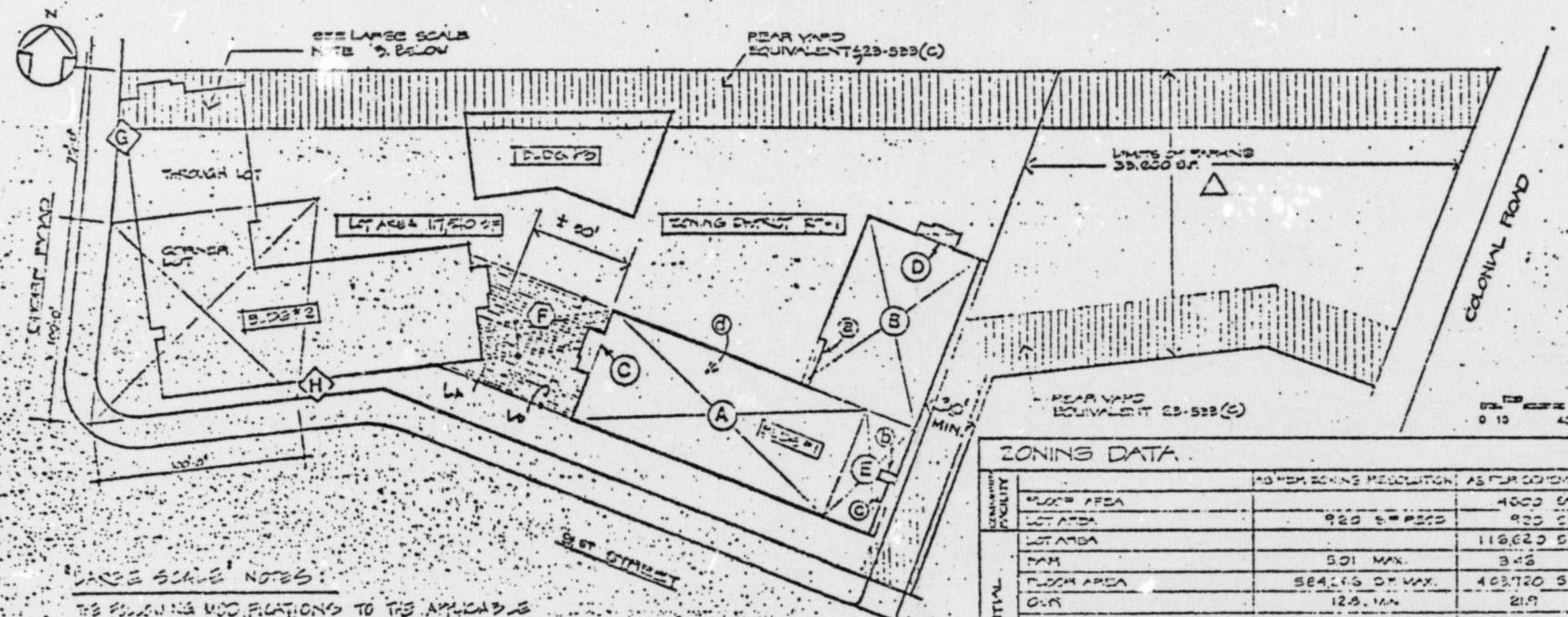
6

AREA TABULATIONS	
AREAS (A)	55,514
A 133 x 14 x 14 = 103,528	B 4 x 24 x 14 = 1,244
B 58 x 20 x 14 = 73,080	C 5 x 5 x 14 = 350
C 111 x 14 = 1,554	D 15 x 2 x 14 = 784
D 111 x 14 = 1,554	E 405 GROUND FL = 720
E 49 x 14 x 14 = 20,162	Sub-total 3,198
3,0 TOTAL 205,153	
TOTAL $(205,153 - (3,198)) \times 2 = 403,920 \text{ SF. TOT.}$	

DISTANCE BETWEEN BUILDINGS	
FRONTAGE ALONG E F	6'
HARD HO = 200' \ominus	
LAW = 17' L = 55'	
(123+121+12+17+55 = 600') 100' RECD.	
± 50' PROVIDED	
SEE LARGE SCALE NOTE 1. BELOW	



BUILDING	
NO. UNITS	557
RECD.	20%
FLOORING UNITS	112
STORIES REQUIRED	(3 FLOORS, 10 UNITS)
STORIES PROVIDED	22 FLOORS = 112 UNITS



ZONING DATA		
RESIDENTIAL	AS PER ZONING REGULATIONS AS PER CONDO	
LOT AREA	920 SF PER LOT	4000 SF
LOT AREA	920 SF PER LOT	920 SF
FAR	50% MAX.	34%
FLOOR AREA	50% OF MAX.	40,3720 SF
GFA	125. MIN	21.9
OPEN SPACE	51,701 SF MIN	82,500 SF
LIT AREA FOR ZONING ROOM	57 SF MIN	71 SF
ZONING ROOMS	2,026	16312
SOCIAL & RECREATIONAL FA.	4	41
SOCIAL & RECREATIONAL FA.	131.5 SF	15,600 SF
OPEN SPACE IN EXCESS OF 50%	25,450 SF MIN	54,700 SF
LOT AREA	44	11,740 SF
FAR	44	34%
FLOOR AREA	50% OF MAX	40,3720 SF
COVERAGE	50% MAX	40%
ENCROACH	50% MAX	10%
TOTAL	44	10%
ZONING FOOTPRINT AREA		
FRONTAGE	100' SF	11,740 SF
DEPTHS	100'	100'
DEPTHS	100'	100'
DEPTHS	100'	100'
TOTAL	44	10%

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

APPLICANT'S NAME, ADDRESS AND ZIP CODE JDI-1103 Housing Development Corporation George Abbott, President 420 South 8th Avenue Brooklyn, NY 11220	PROJECT OR APPLICATION NUMBER 012-118-III
NAME AND LOCATION OF PROPOSED HOUSING Shore Hill Shore Road, Old Street & Colonial Rd., Brooklyn, NY	SECTION OF ACT CENSUS TRACT NUMBER OF UNITS 556

1. DIRECTION OF MARKETING ACTIVITY

The affirmative Fair Housing Marketing Regulations require that each applicant carry out an affirmative program to attract prospective buyers or tenants of all minority and majority groups to the housing. State which group(s), in your judgment, are normally not likely to apply for the housing without special outreach because of factors such as existing neighborhood racial or ethnic patterns, price, and other factors.

Black - Oriental - American Indian

2. MARKETING PROGRAM

Newspapers (Approximate frequency and description of use) "Amsterdam News," "NY Times," "New Reporter," "Spectator." Use of these newspapers as required but not less than at least 2 to 3 insertions in each paper. ENO slogan 8 pt. type prominently displayed in body of ad. conforms in accord with ENO's "Advertising Guidelines for Fair Housing."

Radio and TV (Approximate frequency and description of use) Not anticipated due to cost factors and utilization of other phases of marketing.

Brochures and Signs (Enclose description or, where possible, copies, drafts or pictures.) Distribution of Rental Brochure approximately 3 months before occupancy to community organizations and people who have written for information. Brochure to include "ENO" logo and/or Slogan. To sales agent location and address for further information.

Community Contacts (List organizations to be contacted and describe method of contact.) Meetings held with Bay Ridge Assoc. of Sr. Citizens, Lutheran Action Council, Bay Ridge Norms, Bay Ridge Health Resources Committee, Catholic Charities of Brooklyn-Office of Aging, Local Planning Board, various other Bay Ridge Community Groups and Sr. Citizen Center.

State what results applicant reasonably expects in terms of occupancy from special outreach efforts: A goal for tenancy of 20-25% of units assigned to minority groups.

Describe the marketing program you intend to use in filling vacancies (in multifamily projects) as they occur after the project has been fully occupied. Lists of applicants will be maintained according to Apt. size, needs & date of application. List will be followed as vacancies occur. When and if list is exhausted a similar marketing program to above will be implemented.

STAFFING

What company will be responsible for the marketing program? _____
None designated as yet.

What initial experience in marketing successfully to a racially and ethnically varied population? Any company selected must be selected only after a written consideration of the above experience in local, neighborhood "frontline" programs to increase minority interest and application input for project.

What company will be responsible for sales or initial and continuing rental? _____
None designated as yet.

Describe non-discrimination hiring policy applicable to staff engaged in sale or rental of properties and indicate present racial composition of sales/rental staff. Any company selected must comply with all aspects of non-discrimination under Governor's order, NY State Human Rights Law (Executive Law Article 15); Executive Order 11653 and Title VIII of Civil Rights Act of 1968.

Indicate number of additional positions to be filled in sales/rental staff, and describe steps which have been or will be taken to recruit from both majority and minority groups.

Unknown at this time.

Enclose a copy of instructions given to all employees regarding compliance with local, State and Federal fair housing laws.

Describe training given to all employees regarding implementation of fair housing laws and this affirmative fair housing marketing plan: Instruction in marketing plan, preparation for questions to be asked re: racial/ethnic in housing; non-limitation of sponsor in assignment of units. To a specific area of project for minority group; equalness of processing all applications received, techniques in assisting minority group members in completion of application, explanation of procedures re: acceptance or rejection, time factors involved in processing application, etc.

Solicitation of these referred by HUD. Solicitation will be DIRECT MAIL TELEPHONE CONTACT
 OTHER (Specify): _____

Please describe other efforts planned as part of your outreach program not adequately covered by this form:

None Anticipated

The applicant agrees to make any changes in a plan covering a multifamily project which may reasonably be required after initial rent-up to ensure continued compliance with Section 200.620 of HUD's Affirmative Fair Housing Marketing Regulations

2-27-74
Date

George Adams
Signature
GEORGE ADAMS
Name (Type or Print)
PRESIDENT
Title

Schlesinger
Dated May 7, 1974

Joseph D. Monticello, Acting Area Director
New York, New York Area Office

IN REPLY REFER TO:

FROM : Participation Control Staff

SUBJECT: Case No. : 012-113-NI
Project Name : Shore Hill, Brooklyn, New York
Principals : Glick Construction Corp.
Reuben Glick
Daniel Glick
Morton Glick
Jeffrey Glick
Sylvie Glick
George Adams
Thomas C. Ekeland
E. Roald Carlson
Herbert H. Cordes
Howard Smith

RECEIVED

MAY 6 1974

CM
REFERRED TO

Our review of the FHA insured project mortgage dockets, audit reports of such projects, compliance records, reports by the HUD Office of Inspector General, and recommendations of ARAs and Field Office Directors discloses no adverse information relating to the previous participation of the above listed principals in FHA or other HUD programs.

The review was conducted in accordance with the FHA Form 2530 procedures and in no way amends or deletes outstanding instructions as to project or participant acceptability, credit capability, competency, etc., and in no ways implies approval of these matters.

R. David Lasure
R. David Lasure
Director

Memorandum

U.S. DEPARTMENT

HOUSING AND URBAN DEVELOPMENT

To: Daniel F. Martini, Director

DATE: APR 9 - 1974

Participation & Compliance

Review Division, Rm. 5276, FAP IN REPLY REFER TO: 2.1PR

From: Joseph Monticciolo, Acting Director, New York Area Office, 2.1S

Subject: Proj. No. : 012-118-NI

Proj. Name : Shore Hill

Location : Shore Road & 91st Street, Brooklyn, N.Y.

Principal/s: Glick Construction Corp., Reuben Glick, Daniel Glick,
Morton Glick, Jeffrey Glick, Sylvia Glick, George Adams,
Thomas C. Ekeland, E. Ronald Carlson, Herbert H. Cordes
Howard Smith

We are enclosing three copies of Form No. 2530, Previous Participation Certificate,
which were submitted in connection with the above listed project.

Your office reports that there has been satisfactory experience with the subject
principals.

We are, therefore, submitting the Forms 2530 for your consideration and disposition.

Acting Director

JH

THIS INFORMATION ON COPIES ONLY

IS ARA for HPMC

IPM Reading

IPR

IPR Process. Control & Repts.

IPR Turner

IP W/D

IP O/D

PTF Arcowald



Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, NY 10003

5/26

BATSTONE

RE: SHORE HILL

MAY 15 1974 May 10, 1974

N Y A O
R E C D

Mr. Edwin Schaffer, Acting Director
Operations Division
Department of Housing & Urban Development
120 Church Street
New York, New York 10007

Dear Mr. Schaffer

Your letter of April 30, 1974 to Mr. Allan M. Teplitzky has been referred to me for reply.

We have a request for service to the housing development you describe with two subsequent revisions. The requested service date is April 15, 1975.

This complex is located within the area served by our Bay Ridge Network. The network is designed such that the network grid will continue to supply the load requirements even in the event of the simultaneous loss of any two primary feeders and their associated transformers. In July, 1972, it was necessary that we shut down this network from 9:53 p.m. Monday, July 17th, until 11:04 a.m. the following morning.

This shutdown was implemented only after the loss of a total of six of the ten feeders serving the network during the very adverse conditions of a heat storm.

Since that time, two additional primary feeders have been installed to serve this network and several reinforcement projects have and are being implemented to strengthen the low voltage grid.

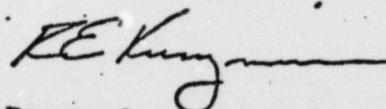
May 10, 1974

On February 20, 1973 at 2:19 p.m., the network was lost again by an incident initiated on our transmission system by the failure of a 345 Kv circuit breaker. The manufacturer of this breaker had failed to notify the Company of the fact that breakers of this design had fallen victim to a problem of improper assembly and that tests and/or modifications were required. Immediately subsequent to this failure, other substation equipment difficulties resulted in the loss of our Greenwood Substation which serves the Bay Ridge Network. Service to the network was restored at 4:15 p.m. It is important to note that this incident was due to difficulties on the high voltage transmission system and was not related in any way to the distribution system design, loads, or network capabilities in the Bay Ridge area.

The estimated electrical demand of the housing development is 1100 KVA. To serve this load, we intend to install three 1000 KVA transformers, interconnected with the low voltage grid in such a way that even under the condition that the network be in double contingency (loss of two closely associated primary feeders) as per design, the emergency transformer capability at this location will be 1700 KVA, exceeding the development's demand by 600 KVA. Serving the buildings in this way, therefore, actually strengthens the capability of the network in the immediate vicinity rather than having an adverse effect upon it.

If we may assist you further, kindly let us know.

Very truly yours



Raymond E. Kunzmann
Assistant To Executive
Vice President

REK.dw

**GRUZLER &
PARTNERS**

ARCHITECT
PLANNER
ENGINEER

1700 BROADWAY
NEW YORK NY 10019
(AREA 212) 582 7041

24 COMMERCE STREET
NEWARK NJ 07105
(AREA 201) 643 1941

August 12, 1974

U.S. Office of Housing and Urban Development
666 Fifth Avenue
New York, New York 10019

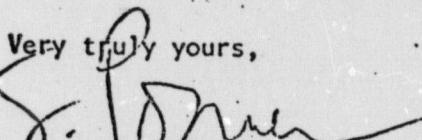
Attention: Mr. Frank Batstone

Reference: Shore Hill Apartments
Brooklyn, New York
State Division of Housing and
Community Renewal
Project NO. HC NP 70-754
G & P PROJECT (J-1082-3)

Gentlemen:

We enclose herewith three (3) copies each of letters from the City of New York, Environmental Protection Administration, Department of Water Resources; and our Consulting Mechanical Engineers - V.L. Falotico Inc., indicating availability of existing Sewers for this project. The design of the Building and Site drainage systems will comply with the criteria as furnished by the Department of Water Resources in the accompanying letter dated - August 5, 1974.

Very truly yours,



Sam Posner
Project Manager

SP:hjs
cc: w/encl R. Glick
 WDW
 SLA

REPLY:
NEW YORK OFFICE
NEW JERSEY OFFICE



ENVIRONMENTAL PROTECTION ADMINISTRATION

DEPARTMENT OF WATER RESOURCES

MUNICIPAL BUILDING, NEW YORK, N.Y. 10007

Telephone: 566-3340, 3341 August 5, 1974

CHARLES SAMOWITZ, P.E.
CommissionerV.L. Falotico, Inc.
47 Park Avenue South
New York, N.Y. 10016

Gentlemen:

Re: V.L.F. 1079 Shore Hill Apartments
Brooklyn, N.Y.

Att: Mr. Charles P. Wahrheit

This is in reply to letter of July 3, 1974 requesting information as to allowable flows at the above captioned location.

The following flows are permitted into the sewers indicated:

91st Street 12" combined sewer allowable flow = 1.74 c.f.s.

Colonial Road 18" combined sewer allowable flow = 0.68 c.f.s.

We also call to your attention that our drainage section finds errors in your submission regarding the conversion of fixture units to c.f.s. Any questions you might have in reference to this matter should be directed to Mr. Jerry Heller.

We urge you to resubmit with the above suggestions taken into consideration.

AUG 7- 1974

Very truly yours,

SANTO MIANO, P.E., Chief
Division of Sewer Design
Bureau of Water Pollution Control

Per

ADOLFO URIKO, P.E., Chief
Private Sewers & Sewer Information Section

L. Falotico, Inc. Consulting Engineers
475 Park Avenue South / New York, New York 10016 / Telephone (212) 685-8835

John L. Corniani
Herbert Kunstadt
Robert J. Humann
Frank V. Fiorenza
Salvatore J. Bellia

August 8, 1974

Gruzen & Partners
1700 Broadway
New York, N.Y. 10019

VLF #1079
Re: Shore Hill Apts.
Brooklyn, N.Y.

Att: Mr. S. Posner

Gentlemen:

Please be advised that this office is proceeding in the design of the Sanitary and Storm Systems for the above mentioned project, in full compliance with the requirements and criterion set forth in the enclosed copy of a letter (dated Aug. 5, 1974) from the Environmental Protection Administration, Department of Water Resources.

Very truly yours,
V.L. Falotico, Inc.

Salvatore J. Bellia
Salvatore J. Bellia

SJB:sb
Encl.
cc: Glick Constr. (Encl.).

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING AUTHORITY

FOR CENTRAL OFFICE USE ONLY

State _____
County _____
City/Town _____

EVALUATION OF REQUESTS FOR PRIORITY REGISTRATION, EARLY FEASIBILITY,
RESERVATION OF CONTRACT AUTHORITY (SECTION 235(i)), RENT SUPPLEMENT,
SECTION 236) OR EVALUATION OF APPLICATION FOR LOW-RENT PUBLIC HOUSING

APPLICANT'S NAME AND ADDRESS <i>Arthur J. Clark</i>	REGION CODE <i>O 2</i>	OFFICE CODE <i>36</i>	PROJECT IDENTIFICATION NUMBER <i>072-718-102</i>
TYPE OF REQUEST <input checked="" type="checkbox"/> 1 PRIORITY REGISTRATION <input type="checkbox"/> 2 EARLY FEASIBILITY <input checked="" type="checkbox"/> 3 RESERV. OF CONTRACT AUTH. <input type="checkbox"/> 4 APPLICA. FOR PUBLIC HOUSING		DATE OF INITIAL APPLICATION <i>1/27/72</i>	
SUBDIVISION/PROJECT NAME AND STREET ADDRESS <i>1st Street Apartments (New York City, N.Y.)</i>		STATE <i>New York</i>	COUNTY <i>Kings</i>
CITY/TOWN <i>New York, N.Y.</i>			
PROGRAM: <input type="checkbox"/> 235(i) 20 <input type="checkbox"/> 221(d)(3) RENT SUP. 30 <input checked="" type="checkbox"/> 236 <input type="checkbox"/> 21 <input type="checkbox"/> LRPH <input type="checkbox"/> 31 <input type="checkbox"/> 236 RENT SUPPLEMENT		SPONSORSHIP: <input checked="" type="checkbox"/> 1 ELDERLY OR HANDICAPPED PROJECT <input type="checkbox"/> 2 PROFIT <input type="checkbox"/> 3 NONPROFIT <input checked="" type="checkbox"/> 4 LIMITED DIVIDEND <input type="checkbox"/> 5 PUBLIC <input type="checkbox"/> COOPERATIVE	

TYPE OF PLACE (Check all applicable codes)	NUMBER OF UNITS	TYPE OF STRUCTURE	NEIGHBORHOOD (Check all applicable)
<input type="checkbox"/> IN SMSA: <input checked="" type="checkbox"/> NON SMSA: <input checked="" type="checkbox"/> CENTRAL CITY <input type="checkbox"/> COMMUNITY OVER 25,000 <input type="checkbox"/> CORE <input type="checkbox"/> 10,000 TO 25,000 <input checked="" type="checkbox"/> OTHER <input type="checkbox"/> UNDER 10,000 OR RURAL <input type="checkbox"/> REMAINDER	TOTAL <i>658</i> 0-BEDROOM <i>925</i> 1-BEDROOM <i>233</i> 2-BEDROOMS _____ 3-BEDROOMS _____ 4 OR MORE BEDROOMS _____	<input type="checkbox"/> DETACHED OR SEMI-DETACHED <input type="checkbox"/> ROW OR TOWNHOUSE <input type="checkbox"/> WALK-UP <input checked="" type="checkbox"/> ELEVATOR	<input type="checkbox"/> MODEL CITY <input type="checkbox"/> NEIGHBORHOOD DEVELOPMENT PROGRAM <input type="checkbox"/> CODE ENFORCEMENT <input type="checkbox"/> URBAN RENEWAL PROJECT NO. <input type="checkbox"/> ECONOMICALLY MIXED AREA <input type="checkbox"/> MINORITY CONCENTRATION <input type="checkbox"/> BLIGHTED AREA

SUMMARY OF RATINGS
(Check Appropriate Boxes After Each Criterion Has Been Evaluated)

DE	CRITERION	SUPERIOR - (Para. A)			ADEQUATE - (Para. B)				POOR - (Para. C)			
		SUB-PARAGRAPH			SUB-PARAGRAPH				SUB-PARAGRAPH			
		(1) CODE 1	(2) CODE 2	(3) CODE 4	(1) CODE 1	(2) CODE 2	(3) CODE 4	(4) CODE 8	(1) CODE 1	(2) CODE 2	(3) CODE 4	(4) CODE 8
	1 Need for Lower(er) Income Housing											
	2 Minority Housing Opportunities											
	3 Improved Location											
	4 Orderly Growth and Development											
	5 Physical Environment											
	6 Ability to Perform											
	7 Minority Empl. and Bus. Oppor.											
	8 Sound Housing Management											

PRIORITY GROUP

CHECK ONLY ONE BOX SHOWN BELOW REPRESENTING THE TOTAL NUMBER OF RATINGS ASSIGNED ON THE FORM,
OR DISAPPROVAL. A SUPERIOR OR ADEQUATE RATING IS REQUIRED FOR ALL CRITERIA.

SECTION 235(i)*

Priority Group	Ratings		
	Superior	Adequate	Poor
1. <input type="checkbox"/>	7	0	0
2. <input type="checkbox"/>	6	1	0
3. <input type="checkbox"/>	5	2	0
4. <input type="checkbox"/>	3	0	0
5. <input type="checkbox"/>	3	4	0
6. <input type="checkbox"/>	2	5	0
7. <input type="checkbox"/>	1	6	0
8. <input type="checkbox"/>	0	7	0

0. DISAPPROVAL. A poor rating on any criterion.

*Criteria #8 (Management) is not applicable to Section 235

RENT SUPPLEMENT, SECTION 236 OR
LOW-RENT PUBLIC HOUSING

Priority Group	Superior	Adequate	Poor
1. <input checked="" type="checkbox"/>	8	0	0
2. <input type="checkbox"/>	7	1	0
3. <input type="checkbox"/>	6	2	0
4. <input type="checkbox"/>	5	3	0
5. <input type="checkbox"/>	4	4	0
6. <input type="checkbox"/>	3	5	0
7. <input type="checkbox"/>	2	6	0
8. <input type="checkbox"/>	1	7	0
9. <input type="checkbox"/>	0	8	0

0. DISAPPROVAL. A poor rating on any criterion.

E: Proposals shall be evaluated when received and shall not be stockpiled unreasonably. After rating has been assigned
e. proposals in group 1 shall be funded ahead of those in priority group 2, proposals in group 2 shall be funded ahead of those
group 3, and so on. Within each group, proposals shall be funded in order of date of receipt of applications for processing.

Funded. Project likely to be funded: Yes No. If "Yes," within _____ months.

Signature Prepared by

Boggs Paul J. Young Coordinator *9/24/74*

complete explanation. Evaluate each criterion by checking the appropriate box -- Superior, Adequate, or Poor.

Final feasibility approval is dependent upon satisfying all statutory and administrative requirements which are a normal part of processing. Rehabilitation projects, Indian Reservation Housing, Sect. 135 existing housing, public housing acquisition or leasing of existing housing of fewer than 25 units not requiring rehabilitation, and proposed construction project of fewer than five (5) dwelling units are excluded.

1. NEED FOR LOW(ER) INCOME HOUSING

SUPERIOR ADEQUATE POOR

5-3

Objectives:

To identify the proposed projects which will best serve the most urgent unmet needs for housing for low(er) income households.

(A) A superior rating shall be given to a proposed project:

- (1) which responds well to the most urgent housing needs of low(er) income households in the market area in terms of number of bedrooms and structure type; or,
- (2) as to which there is documented evidence that the housing is needed as a relocation resource to serve families displaced or to be displaced by governmental action, including families or individuals being displaced by the proposed project, and that the applicant will give preference to those so displaced.

(B) An adequate rating shall be given to a proposed project which responds to housing needs of low(er) income households in the market area in terms of number of bedrooms and structure type.

(C) A poor rating shall be given to a proposed project which:

- (1) does not respond to housing needs of low(er) income households in the market area; or,
- (2) duplicates or competes unreasonably with other subsidized or comparably-priced, standard unsubsidized housing projects in the same locality in such a way as to overbuild the market.

Justification:

(Check if additional justification is attached.)

2. MINORITY HOUSING OPPORTUNITIES

SUPERIOR ADEQUATE POOR

Objectives:

To provide minority families with opportunities for housing in a wide range of locations.

To open up nonsegregated housing opportunities that will contribute to decreasing the effects of past housing discrimination.

(A) A superior rating shall be given if the proposed project will be located:

- (1) so that, within the housing market area, it will provide opportunities for minorities for housing outside existing areas of minority concentration and outside areas which are already substantially racially mixed; or,
- (2) in an area of minority concentration, but the area is part of an official State or local agency development plan, and sufficient, comparable opportunities exist for housing for minority families, in the income range to be served by the proposed project, outside areas of minority concentration.

(B) An adequate rating shall be given if the proposed project will be located:

- (1) outside an area of minority concentration, but the area is racially mixed, and the proposed project will not cause a significant increase in the proportion of minority to non-minority residents in the area; or,
- (2) in an area of minority concentration and sufficient, comparable opportunities exist for housing for minority families, in the income range to be served by the proposed project, outside areas of minority concentration; or,
- (3) in an area of minority concentration, but is necessary to meet overriding housing needs which cannot otherwise feasibly be met in that housing market area (An "overriding need" may not serve as the basis for an "adequate" rating if the only reason the need cannot otherwise feasibly be met is that discrimination on the basis of race, color or national origin renders sites outside areas of minority concentration unavailable.); or,

socio-economic and other data and information.

- (C) A poor rating shall be given if the proposed project does not satisfy any of the above conditions, e.g., will cause a significant increase in the proportion of minority residents in an area which is not one of minority concentration, but which is racially mixed.

Justification:

The proposed site is an area that is developed in 1970
and contains little or no federal subsidized housing.
The proposed project will be located in an
area that is accessible to social, recreational, educational, commercial, and
health facilities and services that are equivalent to those typically found in neighborhoods
consisting largely of standard, unsubsidized housing of a similar market value.
The proposed project will be located in areas reasonably accessible to job opportunities.

(Check if additional justification is attached.)

10/71

IMPROVED LOCATION FOR LOWER INCOME FAMILIES

SUPERIOR ADEQUATE POOR

Objectives:

To avoid concentrating subsidized housing in any one section of a metropolitan area or town.

To provide low(er) income households with opportunities for housing in a wide range of locations.

To locate subsidized housing in sections containing facilities and services that are typical of those found in neighborhoods consisting largely of standard, unsubsidized housing of a similar market value.

To locate subsidized housing in areas reasonably accessible to job opportunities.

- (A) A superior rating shall be given if the proposed project:

(1) will be located in a section (consisting of the project neighborhood and contiguous neighborhoods) that contains little or no federally-subsidized housing and (a) the proposed project is, or will be by the occupancy date or very shortly thereafter, accessible to social, recreational, educational, commercial, and health facilities and services, and other municipal services that are equivalent to or better than those typically found in neighborhoods consisting largely of standard, unsubsidized housing of a similar market value, and (b) travel time and cost via public transportation or private auto from the neighborhood to employment providing a range of jobs for low(er) income workers is considered excellent for such families in the metropolitan area or town. (While it is important that elderly housing not be totally isolated from all employment opportunities, for such projects the requirements of (b) above need not be adhered to rigidly); or,

(2) is part of a New Community Development Plan approved under Title VII of the Housing and Urban Development Act of 1970.

- (B) An adequate rating shall be given to a proposed project which will be located:

(1) in a section already containing federally-subsidized housing if, with the addition of the proposed housing, the resulting number of federally-subsidized units will not establish the character of the section as one of subsidized housing and the housing will provide an expanded range of housing opportunity for low(er) income families; or,

(2) in an undeveloped area, but the scale of the project will not be such that it establishes the character of the section as one of subsidized housing;

(3) and, in the event of either (1) or (2): (a) the project is, or will be by the occupancy date or very shortly thereafter, accessible to social, recreational, educational, commercial, and health facilities and services, and other municipal services that are equivalent to those typically found in neighborhoods consisting largely of unsubsidized standard housing of a similar market value, and (b) travel time and cost via public transportation or private auto from the neighborhood to employment providing a range of jobs for low(er) income workers is reasonable for such families in the metropolitan area or town. (While it is important that elderly housing not be totally isolated from all employment opportunities, for such projects the requirements of (b) above need not be adhered to rigidly); or,

(4) in an Urban Renewal or Model Cities area and such housing is required to fulfill, respectively, the Urban Renewal Plan or the Comprehensive City Demonstration Program.

- C) A poor rating shall be given if:

(1) the proposed project will be located in a section characterized as one of subsidized housing; or,
(2) the proposed project will establish the character of the section as one of subsidized housing; or,
(3) social, recreational, educational, commercial, and health facilities and services, and other municipal services: (a) are not, or will not be by the occupancy date or very shortly thereafter, accessible to the project; or (b) although accessible to the project, are inferior to those typically found in neighborhoods consisting largely of standard, unsubsidized housing of a similar market value; or

U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

TO: Joseph Monticciolo
Acting Area Director

DATE: OCT 16 1974

IN REPLY REFER TO: 2.1PMM

FROM: Margaret M. Myerson
Director, Operations Division

SUBJECT: 236 Non-Insured Program
Acceptability for Contract
Project No. 012-118-NI, Shore Hill

All administrative requirements have been satisfactorily met for the subject project. Execution of the federal contract is therefore recommended in the amount of \$1,257,521 (Funds will be requested of C.O.).

Attached please find copies of the required documentation and appropriate reviews which form the basis for our recommendation. A summary of these reviews follows:

Project Selection: Rated 10/8/74

Environmental Clearance: Cleared 9/18/74 and approved by Legal
9/23/74

Affirmative Marketing: Approved 4/5/74

Previous Participation: Approved 5/7/74

Rent Limitations: At regular income limits

Cost Comparability: Approved 10/10/74

MARGARET MYERSON

Director, Operations Division

Attachments

cc: NI FILES, SCHIFFMAN, BEYTIN, LEGAL, MYERSON, EO, COST, PROCESSING, MANAGEMENT
OPER.DIV./Beytin:6308/sr/10/15/74

BEYTIN:2.1PMM/ SCHIFFMAN:2.1PM / MYERSON:2.1P /

RECEIVED

FEB 20 1975

MULTIFAMILY
HOUSING PROGRAM
SPECIAL STUDIES
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

62

Memorandum

U.S. DEPARTMENT OF
HOMELAND SECURITY AND URBAN DEVELOPMENT

TO : Margaret M. Myerson
Director, Operations Division

Attention: James D. Fleming

DATE: September 23, 1974

IN REPLY REFER TO:
SCIACCA-6122

FROM : Benjamin D. Skurnick
Area Counsel

SUBJECT: Environmental Clearance Form
Project No. 012-118-NI, Shore Hill
Location Brooklyn, New York

The above identified subject matter is:

- a. // Legally acceptable (See Remark below)
- b. // Not legally acceptable
- c. // Acceptable for execution on behalf of the Government
- d. // Forwarded for information purposes/review
- e. // Return herewith and will be reviewed when additional documentation is submitted
- f. // Retained and will be reviewed when additional documentation is submitted
- g. // Other

Remarks:

1. In accordance with Circular of the Regional Administrator, No. 44, dated April 4, 1973, I have examined the completed and signed Environmental Clearance Form of the Environmental Clearance Officer, dated 9/13/74. I have also examined the supporting documentation to the Environmental Clearance Form, and hereby affirmatively determine that the necessary procedural environmental steps referred to in the Environmental Clearance Form have been complied with.

Vita O. Weiss
Acting Area Counsel

cc: C/F
Reading
Chron
Legal Skurnick/Sciaccia *[Signature]*
2.LPM Shiffman
2.LPMR Batstone

63

MORANWIN

U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

B. Sturwick

David McLean
Area Council

DATE: 9/18/74

IN REPLY REFER TO:

James D. Flemming
Environmental Clearance Officer.

Environmental Clearance Form
Project No: 012-118-N1
Project Name: SHORE HILL
Location: SHORE RD. AND 91ST STREET
BROOKLYN, N.Y.

Reviewed the above referred project file with respect to environmental procedures and the required documentation relating to the National Environmental Policy Act of 1969, and hereby state that:

A. As Environmental Clearance Officer I have determined that a(n):

- Normal
 Special
 Environmental Impact

clearance is applicable to the above referred project.

B. The aforementioned clearance has has not been fully implemented, and has resulted in the inclusion within the aforementioned project file of an:

- Acceptable Normal Environmental Clearance Worksheet;
 Acceptable Special Environmental Clearance Worksheet;
 Acceptable Final Environmental Clearance Worksheet;
 Unacceptable Environmental Clearance Worksheet (See attached).

C. Based on the above clearance, a determination has been made that:

- The proposal should be rejected because of unavoidable and unacceptable adverse environmental impacts;
 There are no significant environmental impacts and processing of the proposal may proceed.

D. All supporting documentation (Worksheets, Tech. Reviews, Attachments, etc.) is is not included in the project file.

E. As Environmental Clearance Officer, I:

- Concur with the above determination.

Memorandum

U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

TO : Mr. William Green
Attention: Bernie Levine

DATE:

IN REPLY REFER TO:

FROM : Joseph Monticciolo
Acting Director, NYAO

SUBJECT: Special Environmental Clearance

Project Name: SHOREHILL
012-118-NI.

Herewith my recommendation regarding our environmental clearance review of the above subject project.

It is the finding of this office that approval of this proposal is consistent with all applicable HUD environmental policies and standards, and that the proposed HUD action does not otherwise have a significant adverse impact on the environment in terms described by PL 91-190 and related guidelines of the Council on Environmental Quality.

The HUD special environmental clearance worksheet is appended hereto.

Bernie Levine
for Acting Director, N.Y.A.O.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
ENVIRONMENTAL FINDING RESULTING FROM SPECIAL CLEARANCE

Instructions: Attach this finding to the front of the completed ECO-3, Special Environmental Clearance Worksheet. These documents shall accompany the application through the review process.

Project Name SHORE HILL Project Number 02-118-NI

Based on the information derived from the review and evaluation of the attached items and of supporting documentation, the following finding is made:

- The proposal should be rejected. Even after appropriate modifications to the proposal there exist environmental impacts which are unavoidable, and, based on HUD environmental policies and standards, also are considered unacceptable.
- A Finding of Inapplicability is made and processing may proceed. There is no significant environmental impact.
- Environmental Impact Statement Clearance is required prior to HUD decision. Even after appropriate modifications to the proposal to mitigate environmental impacts, there remains actual or potential significant environmental impact.

Discuss briefly the basis for the finding made above.

Recommendation of Environmental Clearance Officer

Date 9/18/74

James D. Lewis
Environmental Clearance Officer

Date 5/23/74

Certified by Robert Parker
(Signature of Operations
Director or Insuring
Office Director)

66

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SPECIAL ENVIRONMENTAL CLEARANCE WORKSHEET

Region II Area/Insuring Office New York Area Office

Instructions: When completed, this form must show that HUD conducted an independent assessment of the environmental impacts of the proposal and that HUD has an adequate basis for its finding. Attach additional sheets as necessary. Reference may be made to factual information in the applicant's form or application file.

- A. Applicant/Sponsor.
Luthern Medical Center
- B. Project Name and Location.
Shore Hill Apts. 91st & Shore Rd.
- C. HUD Program. Brooklyn, New York
Section 236 Interest Reduction Subsidy
- D. HUD Project No.

- E. Have A-95 review requirements been met? Yes No Not Required *
Do clearinghouse comments indicate significant environmental or regional impact, or any environmental problems Yes No
- F. How has HUD verified the accuracy and completeness of the information supplied by the applicant (e.g., site inspections, inquiries to local agencies and private groups, A-95 review, required local approvals and public hearings, consultation with State/areawide/Federal agencies, etc.)? Provide additional information needed to supplement or clarify information supplied by the applicant in Form ECO-1.
See Attached.
- G. Historic Preservation. (For further information regarding procedures for compliance with Section 106, see Appendix L)

Are there properties listed on, or nominated to, the National Register of Historic Places on the site, or in the vicinity of the proposed action?
 Yes No

If yes, does the proposed HUD action have an effect on the properties?
 Yes No

How has this determination been made?

If a determination of effect has been made, have the State Liaison Officer and the Executive Director of the Advisory Council on Historic Preservation been consulted to determine whether or not the effect is adverse? Yes No

Through the above consultation, the following has been concluded.

- A Joint Memorandum acknowledging no adversity is attached.
- An adverse effect has been established, no alternative to resolve it can be agreed upon. Review by the Advisory Council on Historic Preservation will be requested and a 102(2)(C) will be prepared.

* Based on Letter from S. William Green to Charles Urstdat, November 21, 1971.

H. Based on information supplied by the applicant and gathered by HUD from other sources, evaluate and discuss under each heading the major environmental issues involved in the project. This evaluation must address the significance of impact of the project on the environment and the significance of impact of the environment on the project. Identify:

- (1) beneficial and adverse environmental impacts - discuss basis for judgment;
- (2) short-term (immediate impacts of short duration, such as during construction and initial use) and long-term (lasting beyond construction and initial use period, or with implications for secondary impacts in the future) impacts;
- (3) significance of impacts - quantitative measure of magnitude (degree, extent, or severity or impact), and qualitative measure of importance (in context of community needs and goals, areawide and State objectives and planning, HUD and national goals and concerns);
- (4) HUD and other Federal, State, or local policies or standards which are in danger of being violated or ignored;
- (5) Measures being taken or planned to reduce adverse environmental impacts and how HUD will assure that such measures will be implemented (inclusion as requirements in contract, grant or other document) if the project is approved.

a: Physical environment (natural and man-made):

See Attachment.

b. Social environment:

See Attachment.

c. Aesthetic environment:

See Attachment.

- I. What is the full array of possible alternatives to the proposal (including those beyond HUD's immediate control) which would significantly alter the environmental impacts of the project? Evaluate the alternative sites, sizes, and designs described by the applicant in Form ECO-1 and the applicant's reasons for rejecting alternatives. Discuss additional alternatives, including the alternative of not approving the project at all, as well as alternative locations, sizes, and designs, from HUD's viewpoint which would alter the environmental impacts. Compare and evaluate the costs and benefits of these alternatives with those of the proposed project, and discuss why they should be rejected or adopted.

See Attached.

J. Which of the potential adverse environmental impacts described in H. could and which could not be avoided by the selection of an alternative site?

Not applicable; the project has been scaled down from its original design and layout so as to be reasonably and appropriately accommodated on the selected site. There are no potential adverse environmental impacts which would warrant the consideration of selecting an alternative site.

K. Which of the potential adverse environmental impacts described in H. could and which could not be avoided by modification of the project in terms of size or design, at the proposed site location?

Not applicable; the project has gone through 3 modifications of design and size at the proposed location to better reflect neighborhood conditions and yet serve prospective resident's needs and meet zoning requirements.

L. Will the project stimulate any long-term development or population distribution trends or result in any irretrievable commitment of important resources (e.g., loss of unique areas or properties of natural, social, cultural, or aesthetic value; commitment of community services and resources)? How do these impacts compare with goals and plans on the local, areawide, State, and national levels, as well as with principles of orderly growth? Discuss.

The project will not stimulate any long-term development or population distribution trends, but rather, on a single project basis, will introduce housing for the elderly into an area now lacking such a unique facility and where there is a demonstrated need. The project will not result in any irretrievable commitment of important resources. The project is consistent with City's plans, programs, and objectives and regulations and in keeping with principles of orderly growth, while meeting a rather critical housing need.

M. Is there evidence of actual or potential controversy on environmental issues as indicated by the applicant or by HUD inquiries? Describe the nature and degree of controversy.

See Attachment.

Date

9/3/74

Prepared by

Frank A. Balstone

6-10

ATTACHMENT TO ECO-3
Shore Hill Apartments
Project No. 012-118-NI

F. Supplemental Information has been secured from the following:

1. Site visit March 18, 1974
2. Plan for the City of New York, 1969.
3. Data Report, Aerometric Network, 1972, New York City Department of Air Resources.
4. Hospitals and Health Related Facilities in Southern New York, 1972
5. City Planning Commission Reports, January 2, 1974, Calendars # 12 and #13
6. Newspaper clippings.
7. Letter dated May 10, 1974 from Consolidated Edison Company to E. Schaffer Acting Director, Operations Division, Department of HUD.
8. Letter dated August 7, 1974 from Santo Miano, Chief, Division of Sewer Design, Bureau of Water Pollution Control, Department of Water Resources New York City Environmental Protection Agency to V.L. Falotico, Inc., Consulting Engineers.
9. Letter dated August 12, 1974 from Sam Posner, Project Manager, Gruzen and Partners, (Project Consultants) to Department of Housing and Urban Development.
10. Phone Conversation on August 15, 1974 with staff members of V. L. Falotico, Inc., Consulting Engineers.
11. Phone conversation on August 15, 1974 with Jerry Heller Staff member of the Department of Water Resources, New York City.

Shore Hill Apartments for the elderly are located at the northeast corner of 91st Street and Shore Road, Brooklyn. The property is presently vacant.

The project is to consist of two "L shaped 14 story buildings of brick and reinforced concrete construction, providing 557 units broken down as follows:

<u>Apartment Type</u>	<u>No. of Apartments</u>
Efficiency	319
1 Bedroom	237
2 Bedrooms	1 (Super Apt.)
Total	557

ATTACHMENT TO ECO-3
Shore Hill Apartments
Project No. 012-118-NI
Page 2

The site contains 2.7 acres with an estimated density of approximately 295 persons per acre. 112 parking spaces are provided on site. There is also a one-story Community Center structure located between the 2 residential buildings. Total lot coverage is about 25%, the balance remaining open for access, walkways, recreational and parking uses.

H. Major Environmental Issues

(a) Physical Environment

The provision of standard housing accommodations, built in accordance with minimum design standards and requirements established by the State for its limited profit rental housing programs, is viewed as a beneficial effect.

The project will have no discernable effect on climatology of the area. On-site landscaping will be provided. The project has no significant impact on vegetation, wildlife, natural areas or water quality in this mixed low, medium and high density, built-up urban environment.

The project is reasonably compatible with surrounding land uses. The intensity of development is discussed under social environmental impacts. Infrastructure appears to be generally adequate except for sewers, which is discussed herewith.

Infrastructure

The building permit process includes a review of project plans by the Department of Water Resources to determine adequacy of water supply and surface run-off and sewerage discharge considerations. The issuance of the permit presumably constitutes a determination that these public systems have the necessary capacity to support the project. Although the process is not error-proof, it is believed that existing water distribution and supply is entirely adequate to meet project needs. Combined sewers presently serve the area and they are limited in capacity. It has been determined, however, that the combined 12" sewer on 91st Street has an allowable additional flow of 1.74 c.f.s.; Colonial Road's 18" combined sewer has an allowable additional flow of 0.68 c.f.s., according to the New York City Environmental Protection Administration, Department of Water Resources, Division of Sewer Design. The project's consultants, Gruzen and Partners, along with their consulting engineers working on the sewage and drainage plans - V.L. Falotico, Inc., have given assurance that the project design will meet the allowable flows established by the City. This design will include the construction of an on-site retention system under the parking areas where surface water will be stored and released after 24 hours. The sanitary sewage will be discharged directly into the 91st Street sewer. This method and operation will comply with the criteria set forth by the Department of Water Resources.

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Parking

There will be 112 parking spaces provided on the site. Thus a ratio of 20 spaces to housing units (557) is to be realized in compliance with the Zoning Resolution of the City of New York.

Traffic

Shore Hill will produce no significant increment to mass transit ridership at peak hours because it will house elderly tenants. Likewise local motor vehicular traffic is not expected to increase substantially in view of the age group; in any case certainly not at peak hours. Shore Road primarily carries local traffic with no significant volumes. The other streets; 91st and Narrows Avenue, carry even less traffic than Shore Road.

Transportation

Busses routed along Third Avenue, Fifth Avenue, Shore Road, and 86th Street are available to residents of this project.

The BMT Subway (RR Line) stations are located at 86th Street and Fourth Avenue and at 95th Street and Fourth Avenue and are more than a half-mile from the project site. Route B16 - Fort Hamilton Parkway Line which is routed along Shore Road connects with the BMT Subway station at Fourth Avenue and 86th Street. The availability of this public transportation is considered entirely adequate to serve project resident needs.

Energy Demand

The project will be heated by #2 fuel oil. Gas will be used for cooking to be supplied by Brooklyn Union Gas Company. Electricity will be supplied by Consolidated Edison. There are no unusual demands for electricity built into the project with the possible exception of the use of air conditioners. Sleeves have been provided for all living and bedrooms in the project and ultimately some or all may be installed.

Building Height

The Shore Hill Apartment complex will have two 1½ story structures: The height, while 3 stories taller than its nearest comparable neighbor, is located in an area comprised of single and 2 family houses, and numerous 6 and 7 story apartments. The heights of 1½ stories is well within the limits of the R7-1 Zone, which could permit a residential tower of greater height on the site at significantly greater densities than this project will produce.

The 2 structures at 1½ stories each and the 1 story Community Center structure will cover about 25% of the parcel and thus allows for on-site parking, adequate front, side and rear yards, internal circulation, recreational facilities and landscaped sitting areas. Lower heights with greater lot coverage would minimize site planning opportunities, reducing amenities and increasing per unit costs to a point where financial feasibility undoubtedly would be jeopardized.

The building located on the easterly end of the parcel Building No. 1 should have no appreciable adverse effect upon adjoining properties insofar as light, air and views are concerned. There is a 30 foot driveway between the apartment and the adjacent single family structure to the East, and there is about a 22 foot set-back of the apartment from the northerly right-of-way line of 91st Street. Nevertheless, the late afternoon sunlight would be cut off from the adjacent structure and rear yards of one or two other properties to the east. Building No. 2, located on the corner of 91st Street and Shore Road, due to its 14 story height, undoubtedly will cut off sunlight from the adjacent single family residence to the north during a period of the afternoon. It is not cut off altogether, and while it admittedly changes the present situation, it is not considered detrimental nor significant adverse environmental impact.

The project site has been designed in a manner so as to minimize possible adverse effects of light, air or views of adjacent properties and at the same time it results in a considerable portion of the interior open recreational and sitting areas being located in shade. This is a bit unfortunate. However, were the 14 story structures to have been located on the northerly side of the tract rather than along the edge of 91st Street, many more nearby single family structures and yards would have been somewhat effected by cutting off sunlight and air circulation.

Although not thoroughly analyzed here in terms of project open areas predominantly in the shadow of Building No. 1, it would appear that the project would be benefited if sitting areas could be located out of the shadowed area along the edge of the northerly property line. Active recreational facilities which are proposed, could be located closer to the structures in the more shadowed areas. This is a minor point, but one which might be considered to benefit project residents.

Air Quality

An analysis has been made of the "Data Report, Aerometric Network, 1972, New York City Department of Resources" in relation to the evaluation of air quality and the Shore Hill project. There is no significant environmental impact related thereto.

Noise

Traffic volumes and the type of the traffic on Shore Road and adjacent local streets are such to conclude that noise is not a factor in terms of environmental impact.

(b) Social Environment

In reviewing a proposal which is designed to house elderly persons certain social environmental concerns and impacts are considered particularly pertinent and subject to review and comment. These are density, recreation, health care facilities and shopping facilities. These are discussed as follows:

Density

The project site and the surrounding area is zoned R7-1 which permits high-rise and proportionately high density development. This zoning, it is noted, has brought about the construction of apartment structures ranging in height from 6, 7 and 11 stories in an area that heretofore was comprised of single and two family residences. Thus, current zoning has encouraged high-rise, high-density changes in the neighborhood. It is also noted that the intensity of land use of the recent apartment construction is considerable, with a much higher land coverage than is proposed for Shore Hill.

When occupied there will be a modest increase in population density of the area since the site to be developed is now vacant. However, it is expected that the residents primarily will come from the Bay Ridge area, thus in the overall, not greatly changing area conditions.

The project will conform to the zoning regulations for a non-profit residence for the elderly and various special permit authorization involving a large scale residential development. These special permit authorizations are the subject of a separate City Planning Commission report, dated January 2, 1974. In actuality had this area been developed under the maximum allowed for the elderly in the R-7 zoning category, rather than the large scale development category permitted in the Zoning Resolution, it would have been 2½ times greater than that which is proposed. In other words, at 57 square feet of lot area required per room there could have been over 2,000 rooms as against to the 796 rooms proposed. The resulting density of such an intensive use along with greater lot coverage, which also could have been applied, might have resulted in a significant impact upon the neighborhood. The development as scaled down in height, density and coverage is a realistic recognition of the physical and aesthetic environment of this section of the Bay Ridge area within which the project is located.

The project density estimated to be 295 persons per acre is consistent with City policy and is not considered a significant adverse environmental impact, particularly considering the age factor of the residents, on community facilities, the infrastructure or the immediate neighborhood.

Recreation

Recreation and community facilities are to be built into this project and will consist of landscaped sitting areas and walkways along with outdoor games such as shuffleboard. Within the structures will be a community room, lounge, games, meeting and conference rooms and a separate 1 story structure (Building No. 3) housing community facilities to serve the elderly residents, providing hobby workshops, crafts and a library.

Facilities which are within reasonable distance of Shore Hill and can be considered to serve project residents are Ft. Hamilton offering various games and sports, Dyker Beach Golf Course, and Shore Road Park opposite the project. This latter park provides walkways, bicycle paths, tennis courts, sitting areas, etc. It provides scenic values with views of the harbor, Staten Island, etc. Ft. Hamilton Senior Citizens Center is located at Ft. Hamilton Parkway and 100th Street more than a mile from the project site which may be reached by bus. This Center offers recreational facilities, occupational therapy and social services. Midtown Manhattan, with its resource of recreational and cultural facilities may be reached in about 43 minutes travel time by subway. The project is well situated and served in terms of recreational facilities and services.

Hospital Facilities

The following hospitals are within reasonable distance of Shore Hill Apartments and may be considered to adequately serve the project residents:

Name of Hospital	No. of Beds 1972	Occupancy Rate 1971
Maimonides	654	93
Luthern Medical Center	141	73
Victory Memorial	117	95
V. A. Hospital	1000	83
Bay Ridge	74	60

Community space within Shore Hill will include health facility medical examination offices for visiting physicians.

Shopping Facilities

Shopping facilities which serve the neighborhood are located along Third Avenue about 2 long blocks (less than $\frac{1}{2}$ mile) from the project site. All types of local sales and services are accessible and available and are deemed satisfactory in meeting the needs of the residents of Shore Hill.

(c) Aesthetic Environment

Considering their setting, the introduction of the two 14 story residential structures into the neighborhood is not considered out of scale with the area in general. Existing apartments in the immediate vicinity are 6, 7 and 11 stories in height. The set back, side and rear yards and parking areas comprise about 75% of the site and serve to provide a setting which somewhat mitigates the height differential. The scale of the development is also reduced in view of its proximity to of the wide right-of-way of Shore Road and the Shore Road Park area opposite the site. The development would appear to be quite compatible with the surrounding urban development and there are no significant adverse environmental impacts involved.

I. Alternatives

The City Planning Commission approved the Shore Hill Project, after public hearing, on January 2, 1974. However, prior to final approval other design concepts were considered as follows:

The Shore Hill Project was first proposed as a long single 22 story building containing 664 dwelling units. It was approved by the City Planning Commission on October 11, 1972; however, was referred back without prejudice to the City Planning Commission by the Board of Estimate on March 8, 1973.

A second proposal for the construction of essentially the same number of dwelling units in a lower and longer building was the subject of a public hearing on June 11, 1973. This second proposal provided for the construction of 667 dwelling units in one 16 story building.

On December 3, 1973 hearings were held on two separate proposals involving the construction of two residential buildings and a community facility building. One of the projects was to contain 653 dwelling units in two 22 story buildings, each with a 10 story wing. That proposal was superseded by the two 14-story building project with 557 units, which is the subject of this review.

It is clear that a concerted attempt has been made to scale down the project in terms of height and densities in order that it might be assimilated into the neighborhood with no undue physical or aesthetic environmental impact. This was done, even though the strict application of the zoning regulations might have permitted the more intensive development, as originally conceived. Thus, it is clear that the sponsor has made efforts toward accommodation.

HUD Alternatives are limited to providing or withholding interest reduction subsidy (under Section 236) for this project. Withholding funds may be expected to cause:

- a) an increase in rent levels
- b) a reduction in the supply of housing for low and moderate income elderly persons in the Bay Ridge Section of Brooklyn.

The social environmental benefits providing Federally subsidized housing in this area of Brooklyn, where there is a stated need, are considered beneficial and outweigh whatever other minimal environmental impacts might be involved.

M. Controversy

As stated in the foregoing, prior to the City Planning Commission's final approval other public hearings were held. On December 3, 1973, for instance, a combined public hearing was held on the Shore Hill Project and various special permit authorizations involving large-scale residential development as allowed in the Zoning Resolution. Opposition was expressed at this hearing by the representatives from the following organizations:

Community Planning Board No. 10
Tenants of the Mailer View-Towers
St. Ephraim's Roman Catholic Church
Bay Ridge Action Committee
Bay Ridge Block Association Council
Bay Ridge Civic Improvement Association

Opposition centered around the following:

1. A high-rise building is inappropriate in an area such as Bay Ridge where low-rise buildings predominate; a low-rise alternative would be more appropriate.
2. A high-rise building would be a fire hazard to the elderly.
3. The location of the project is too distant from shopping facilities.
4. The location of the project is too distant from transportation.

1. As noted in the foregoing, the project has been scaled down from its original 22 story tower to two 1½ story structures. While not considered to be low-rise, they are more compatible and of lesser heights than the zoning for the area might otherwise have allowed.

2. It is noted that in regards to fire hazards in high-rise buildings that hundreds of such structures throughout New York City are considered suitable for residential occupancy. This project is to be constructed to meet the requirements of the New York City Building Code to meet requirements of safety as well as light and air. The Fire Department does not anticipate any unusual difficulties in protecting the structures. As added insurance, several features not required by the Building Code for fireproof construction have been added. These are a smoke alarm system, an elevator override and command system and an emergency generator.

3. A discussion in the foregoing has included that local shopping, being 2 blocks distance east of the project, is not considered remote for the project residents needs.

4. The BMT Subway (RR Line) stations are located at 86th Street and at 95th Street on Fourth Avenue located approximately $\frac{1}{2}$ mile distance from the project. Route Blö of the Fort Hamilton Parkway Line which is routed on Shore Road, connects with the BMT Subway station at 86th Street and Fourth Avenue. Transportation, while somewhat limited, is deemed adequate and not an overriding issue or a significant adverse impact.

Other objections to the project were fear that it might degenerate into a "welfare hotel or a drug treatment center". Zoning controls as to land use would not permit such changes of use. The City of New York, through its Board of Estimate and City Planning Commission, has or will enact regulations or appropriate restrictions protecting the project against future uses likely to depreciate it unduly.

Based on revised 1965 census data and statistics published in 1972 by the New York City Planning Commission it is estimated that 25% of the population is over 60 years of age. Of these many are low income retirees in need of housing.

On April 22, 1959, the City Planning Commission, after a public hearing, adopted the Amended Master Plan of Sections Containing Areas Suitable for Development and Redevelopment. Some of these areas are designated as Substandard and Insanitary Areas Suitable for Redevelopment with housing accommodations for all income groups, including housing for persons of low-income. The project under consideration will, by increasing the supply of housing, facilitate the clearance of these substandard areas and thus is in conformity with an overall plan and strategy for providing housing facilities for persons of low-income and for the elderly, and for the clearance, replanning, reconstruction and rehabilitation of sub-standard and insanitary areas throughout the City.

While the final project plan, which resulted through various modifications in an attempt to meet criticisms directed at the high-rise development in this

I certify that I have reserved Contract Authority in the amount of \$ 1,229,976, in connection with the housing project described above. Of this amount, \$ 1,229,976 is reserved for regular income families, and \$ -0- is reserved for exception income limit families. If a commitment is issued construction has not started by N/A this preliminary reservation of Contract Authority will be canceled unless extended in writing by this office for substantial cause.

Signature of Director or his Designee

MARGARET MYERSON

18. Date

NOV 25 1974

19. Reservation No.

236-NI-95-REK #1

HUD-Wash., D. C.

INFE EVALUATION FACTORS ON REVERSE

REVISION

SECTION 236
NON-INSURED
PROJECT

8A

OV 26 1974

2.1G

Mr. Bernard Hirschberg
Director
Project Coordination Bureau
N.Y. State Division of Housing & Community Renewal
2 World Trade Center
New York, N.Y. 10047

Dear Mr. Hirschberg:

Subject: Project No. 012-118-NI
Shore Hill

Inclosed herewith three executed counterparts of the above interest reduction contract. Prior to transmitting the contract to the Comptroller in our Washington Office, we will require the supporting documentation.

Sincerely,

Joseph Monticciolo
Area Director

Also, enclosed three executed counterparts for Marble Hall Apartments, Inc., Project No. 012-136-NI

cc: Cfile
2.1G Chren
2.1G Legal/Weiss
2.1EM Schiffman
2.1FR Pearl
2.1FR Geo. Carpentier w/copies

2.1G WEISS:mab 11/26/74

2/1G

Weiss
11/26/74

called "Mortgagor"), the New York State Housing Finance Agency (hereinafter called the "Authority"), the Commissioner of Housing and Community Renewal of the State of New York (hereinafter called the "State Commissioner"), and the SECRETARY OF HOUSING AND URBAN DEVELOPMENT, acting by and through the Federal Housing Commissioner, (hereinafter called the "Secretary"),

W I T N E S S E T H:

WHEREAS, the Secretary is authorized, under Section 236 of the National Housing Act, as amended, (hereinafter referred to as "Section 236") to make interest reduction payments with respect to a rental or cooperative housing project owned by a private nonprofit corporation or other private nonprofit entity, a limited dividend corporation or other limited dividend entity, or a cooperative housing corporation, which is financed under a state or local program providing assistance through loans, loan insurance, or tax abatements; and

WHEREAS, the Authority has made or has agreed to make a loan to the Mortgagor (hereinafter referred to as the "development loan"), which is to be secured by a project mortgage on all of the real property and fixtures of a housing project described (by name, project number if any, street address, county and state) as

follows: Project No. 012-118-NI

DHCR No. HCNP #70-754SR.

Located at Shore Road, 91st Street & Colonial Road,
Brooklyn, New York

NOW THEREFORE: in consideration of the mutual premises hereinafter set forth, the parties hereto agree as follows:

1. The Secretary has reserved an amount or adjusted the amount heretofore reserved for annual interest reduction payments to be paid under the terms of this contract, which amount shall be based upon the amount of the development loan that is estimated by a method of computation which conforms to that adopted in paragraph 4 to be attributable to those dwelling units in the project that are designated by the Authority to be occupied by families which may receive the benefits of interest reduction payments (hereinafter referred to as "subsidized dwelling units") and

7 1/2%

upon a rate for mortgage interest not to exceed ~~xx~~ and one-half percent (6 1/2%) per annum and a rate for fees and charges as defined in Section 236 not to exceed one-half of one percent (1/2%) per annum of that portion of the principal amount of the final audited project mortgage attributable to subsidized dwelling units.

2. The Authority has made or has agreed to make a development loan to the Mortgagor in the maximum amount of \$ 22,550,000. The terms of the mortgage and the note to be secured thereby, attached hereto as Exhibit "A", have been submitted to and approved by the Secretary for the purposes of this Agreement. It is estimated that \$ 22,550,000 of the aforesaid maximum amount of the development loan will be attributable to the cost of subsidized dwelling units.

3. The State Commissioner represents that upon completion the project shall consist of 558 dwelling units with 1790.5 rooms, of which 558 dwelling units with 1790.5 rooms will be designated as subsidized dwelling units. The ratios of subsidized dwelling units and rooms to unsubsidized dwelling units and rooms shall not be changed without approval of the Secretary.

4. The Secretary shall make interest reduction payments to the Authority monthly when all the dwelling units are completed in amounts equal to the difference between:

- (a) The monthly payment for principal, if any, interest and a monthly portion of such fees and charges not to exceed one half of one percent (1/2%) per annum of the principal amount of the final audited project mortgage which the Mortgagor is obligated to pay under the development loan with respect to subsidized dwelling units; and
- (b) A monthly payment for principal, if any, and interest based upon an assumed amortization period of forty (40) years which the Mortgagor would be required to pay with respect to subsidized dwelling units if the development loan were to bear interest

* The estimated amount of the project mortgage shall be used until the amount of the final audited project mortgage has been established and the necessary and appropriate adjustments can be made of the total amount of interest reduction payments paid and to be paid.

at the rate of one percent (1%) per annum; provided that the total interest reduction payment shall not exceed \$ 1,229,976 per annum for a period ending on the earlier of the date on which the development loan by its terms must be fully paid and discharged and a date fifty (50) years from the date of the first monthly interest reduction payment made under this agreement; provided that in no event shall the period of obligation for payment of principal under the development loan be less than forty (40) years; and provided further that the billed amount of the monthly payment hereunder shall not be changed more than four times a year.

The computation of the monthly payments provided for in both parts (a) and (b) of this paragraph may be made on an annual basis at the request of the Authority to conform to the method of computation used to amortize the related obligations of the Authority.

5. The Secretary shall compute the interest reduction payments on the basis of the amount of the development loan that is found by the Secretary to be attributable to subsidized dwelling units. The term of this contract for interest reduction payments shall begin on the first day of the month following the date on which the Secretary finds all the dwelling units in the project to be completed and ready for occupancy and interest is due on the development loan. The initial interest reduction payment shall be due on the first day of the first month following the commencement of such term of this contract. All interest reduction payments made hereunder shall be made upon receipt of a billing containing representations of facts by the Authority on a form prescribed by the Secretary. Interest reduction payments may be made into an escrow account when directed by the Authority as provided under the project mortgage or development loan. If the Secretary finds that an interest reduction payment or payments made to the Authority have been excessive because of inaccurate facts contained in the Authority's billing or other cause, the Authority shall be obligated immediately to refund the amount that was overpaid. Adjustments in the interest reduction payments shall also be made in the event a subsidized dwelling unit is destroyed or rendered not habitable for any reason, unless said unit is restored or rehabilitated within a reasonable time or unless an unsupervised unit is designated in its place.

6. The Mortgagor covenants and agrees with respect to each subsidized dwelling unit of the project that:

- (a) The Mortgagor has established or shall establish for each such dwelling unit (i) a basic rental charge determined on the basis of operating the project with even monthly payments of principal and interest due under a mortgage bearing interest at one percent (1%) per annum, computed on an annual basis and based upon an amortization period of forty (40) years; and (ii) a fair market rental charge determined on the basis of operating the project with even monthly payments of principal and interest due under the project mortgage and fees and charges approved by the Secretary, computed on an annual basis and based upon an amortization period of forty (40) years. Such basic rental charges and fair market rental charges are shown on Exhibit "B" hereof.
- (b) Any revision in the basic rental or fair market rental for any subsidized dwelling unit shall be made or approved by the State Commissioner and shall be subject to approval by the Secretary as further provided below in this paragraph (b). The State Commissioner shall make or approve rental revisions in conformity with applicable state law and regulations, and shall notify the Secretary in writing of every such revision.

The Secretary shall not unreasonably withhold approval of rent revisions made or approved by the State Commissioner. Notice of approval or disapproval of any revision shall be given within thirty days of the date of receipt of the State Commissioner's notification to the Secretary of the revision.

The State Commissioner has furnished the Secretary copies of such laws and regulations and shall inform him of any changes in such laws and regulations.

- (c) The rent for each subsidized dwelling unit shall include all utilities except telephone and shall be equal to 25% of the tenant's income, as determined by the Secretary or the basic rental, whichever is greater, but in no event shall the rent charged exceed the fair market rental established for each dwelling unit.
- (d) The Mortgagor shall collect surcharges not to be deemed rent in such amounts as may be required by State law from those tenants occupying subsidized units who pay fair market rental, and shall, at the direction of the State Commissioner, remit the surcharges collected for payment to the appropriate municipality granting tax exemption or abatement with respect to the project or otherwise apply such surcharges in accordance with state law as may be approved in advance by the Secretary.
- (e) The Mortgagor shall limit admission to subsidized dwelling units to those families whose incomes do not exceed the lower of the applicable limits prescribed by either the Secretary or the State Commissioner with the exception of such tenants as may agree to pay the fair market rental.
- (f) Preference for occupancy in subsidized dwelling units shall be given to those families who have been certified as displaced families on a form approved by the Secretary and the State Commissioner and to those families whose incomes are within the lowest practicable limits for obtaining rental units in the project.
- (g) The Mortgagor shall comply with the provisions of any applicable Federal, State or local law prohibiting discrimination in housing on the grounds of race, color, creed or national origin, including Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241), and all requirements imposed by or pursuant to the Regulations of the Department of Housing and Urban Development (24 CFR Subtitle A Part 1) issued pursuant to Executive Order 11063.

- (h) The Mortgagor shall not restrict occupancy by reason of the fact that there are children in the family, unless the project has been designed primarily for elderly persons.
- (i) No tenant of a subsidized dwelling unit shall be permitted to rent more than one unit in the project at any given time without the prior written approval of the Secretary and the State Commissioner.
- (j) On forms approved by the Secretary and State Commissioner, the Mortgagor shall obtain from each prospective tenant of a subsidized dwelling unit a certification of income and a recertification of income from all such tenants who are paying less than fair market rental at intervals as required by the Secretary.
- (k) In a manner prescribed by the Secretary and the State Commissioner, the Mortgagor shall obtain written evidence substantiating the information given on such tenants' certifications and recertifications and shall retain the evidence in its files for three years.
- (l) If any recertification reveals a change in income whereby such a tenant would be eligible for a lower or higher rent, such adjustment in rent charged shall be made, provided that the adjusted rent for any such unit shall be the basic rental or an amount equal to 25% of the tenant's income whichever is greater, but shall never exceed fair market rental.
- (m) The Mortgagor shall require all tenants who pay less than market rental to execute a lease in a form approved by the Secretary and the State Commissioner.
- (n) The Mortgagor shall remit to the Secretary on or before the tenth day of each month the amount by which the total rents collected on all subsidized dwelling units exceeds the sum of the approved basic rentals for all such units, which remittance shall be accompanied by a monthly report on a form approved by the Secretary. A monthly report shall be filed and a copy forwarded to the State Commissioner even if no remittance is required. In computing the amount to be remitted to the Secretary, the Mortgagor may make an appropriate adjustment in the basic rent established for each subsidized unit to accommodate the real property tax expense attributable to such unit.

(o) The Mortgagor shall maintain accurate records and accounts in such form and manner as the Secretary and the State Commissioner may prescribe and shall make such records and accounts available for inspection and audit by the Secretary at any time.

(p) The Mortgagor shall not sell, convey or transfer the project except to a purchaser who is approved by the Secretary and is entitled to participation under Section 236(b) and who assumes the duties and obligations under this contract.

7. The Authority covenants and agrees that without the prior written approval of the Secretary it will not assign the project mortgage or agree to the forbearance or deferment of any payment due under the project mortgage.

8. (a) The Secretary shall terminate payments under this Agreement if the property is acquired by the Authority or any owner not eligible under Section 236(b) of the National Housing Act.

(b) The Secretary shall have discretion to terminate payments at any time under this Agreement

(1) upon default by the Mortgagor or the Authority under any provision of this Agreement; or

(2) if an action of foreclosure is instituted by the Authority, unless the Authority (i) gives to the Secretary in advance written notice of its intention to institute such foreclosure and (ii) submits to the Secretary in advance a plan acceptable to the Secretary providing for continuity of eligibility of the project for receiving the benefits of Section 236.

In the event the Secretary terminates payments under this Agreement he shall give prior written notice thereof to the Authority stating the reasons therefor.

9. If payments are terminated or to be terminated pursuant to Paragraph 8 herein, such payments may be reinstated or continued by the Secretary at his discretion and on such conditions as he may prescribe.

10. This contract shall terminate (a) when the development loan is paid in full, or (b) at the option of and upon written notice from the Secretary after

the expiration of one year from the date of the termination of payments in accordance with Paragraph 8 hereof, unless such payments have been reinstated in accordance with Paragraph 9.

11. The rights and obligations under this contract are not assignable by the Authority or by the Mortgagor without prior written approval of the Secretary. In the event of an approved assignment, the obligations under this contract shall bind and the benefits shall inure to the assignee.

12. As used in this contract the term "tenant" shall include a member of a cooperative. The term "lease" shall include a cooperative occupancy agreement. The term "rent" shall include carrying charges paid to the cooperative Mortgagor under an occupancy agreement.

13. Any payments pursuant to this Agreement shall be conditioned upon the receipt by the Secretary of copies of the executed project mortgage.

This contract is being executed in six counterparts each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

(Seal)

Mortgagor:

WITNESS:

Thomas C. Ekeland

Thomas C. Ekeland, Secretary

By Shore Hill Housing Company, Inc.

By George Adams
George Adams, President

(Seal)

NEW YORK STATE HOUSING FINANCE AGENCY

WITNESS:

E. F. S. Smith

By

CCMISSIONER OF HOUSING AND COMMUNITY RENEWAL
OF THE STATE OF NEW YORK

WITNESS:

Patricia

By Patricia

(Seal)

SECRETARY OF HOUSING AND URBAN DEVELOPMENT
acting by and through the FEDERAL HOUSING
COMMISSIONER

By Daryl Monticello

WITNESS:

I, GEORGE ADAMS, President of SHORE HILL HOUSING COMPANY, INC., DO HEREBY CERTIFY:

That at a meeting of the Directors of the said Company held on the 9th day of October, 1974, of which meeting each of said directors had due and timely notice or of which such notice was duly waived, and at which meeting a quorum was present, the following resolution was unanimously adopted:

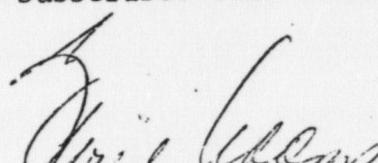
"RESOLVED, that the SHORE HILL HOUSING COMPANY, INC., enter into a contract with the United States Department of Housing and Urban Development Federal Housing Administration providing for rent supplements in the Shore Hill Housing Project for qualified tenants pursuant to section 101 of the Housing and Urban Development Act of 1965, Public Law 89-117 89th Congress, H. R. 7084, August 10, 1965, and be it further

RESOLVED that the corporation enter into an agreement for rent reduction payments with the New York State Housing Finance Agency, the Commissioner of Housing and Community Renewal of the State of New York and the United States Department of Housing and Urban Development pursuant to Section 436 of the National Housing Act as amended, and be it further

RESOLVED that the President or Vice President and the Secretary or Treasurer be hereby authorized and directed to make and execute the necessary documents to effectuate the foregoing resolutions and to do all such acts as are necessary and proper to accomplish same."

AND I FURTHER CERTIFY that the said resolution has not been repealed and remains in full force and effect.

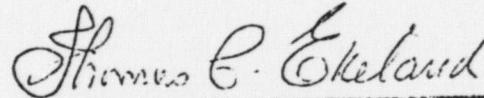
IN WITNESS WHEREOF, I have subscribed this Certificate this 17th day of October, 1974.


George Adams

GEORGE ADAMS
PRESIDENT

(9)

IN WITNESS WHEREOF, I, THOMAS C. EKELAND, Secretary of SCORE HILL HOUSING COMPANY, INC. place my signature attesting to the resolutions duly passed by the Board of Directors of the Corporation on the 9th day of October, 1974.


Thomas C. Ekeland

THOMAS C. EKELAND
SECRETARY

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

4530.1

CIRCULAR

February 6, 1973

SUBJECT: Non-Insured Assisted Projects by State and Local Government

1. This Notice Transmits the Following:

HUD Handbook 4530.1, Non-Insured Assisted Projects by State and Local Government.

2. Purpose:

This Handbook provides policy and procedural instructions for the utilization of Section 236 assistance and rent supplement payments in connection with eligible non HUD-FHA insured projects financed under approved state or local government.

3. Applicability:

The contents of this Handbook are those policies and procedures on non-insured projects outstanding as of January 31, 1973.

4. Cancellations:

The following issuances are cancelled:

Handbook - HPMC-FHA 4400.46 - Interest Reduction Assistance and
Rent Supplement Payments for Projects
Developed Under State and Local
Programs
dated February 4, 1972

Circular - FHA 4442.9 - Section 236 - Non-Insured Mortgage
Transactions
dated December 22, 1969

Distribution: O-3, R-1, R-2, R-3, R-3-2, R-4,
R-5, R4FA, W-1, W-2, W-3-1



4530.1

NON-INSURED ASSISTED PROJECTS BY STATE AND LOCAL GOVERNMENT

JANUARY 1973

HUD STAFF

A HUD HANDBOOK

HOUSING PRODUCTION AND MORTGAGE CREDIT-FEDERAL HOUSING ADMINISTRATION

Distribution: O-3, R-1, R-2, R-3, R-3-2, R-4,
R-5, R4FA, W-1, W-2, W-3-1

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D. C. 20410**

FOREWORD

This Handbook provides policy and procedural instructions for the utilization of Section 236 assistance and rent supplement payments in connection with eligible non HUD-FHA insured projects financed under approved state or local programs.

The Housing and Urban Development Act of 1968 authorized housing financed pursuant to such state and local programs to receive interest subsidies under the Section 236 program and payment benefits under the rent supplement program.

Section 236 assistance and rent supplement payments may be made available to projects financed by other than HUD-FHA insured loans. Such financing is usually accomplished through bond issues which carry interest rates below the current HUD-FHA interest rate. Frequently, projects will be assisted or further assisted with tax abatement or loan insurance. Because of these features, state or locally assisted housing developments can be constructed and operated at lower cost than comparable projects financed by conventional HUD-FHA insured loans and should, therefore, result in a higher ratio of housing units per subsidy dollar.

A major national goal for the seventies is the production of several million subsidized housing units. An equally important goal is the development of a viable new federalism which encourages local initiatives requiring limited involvement by the federal government. The implementation of these state and local housing programs is responsive to those goals.

Significant responsibilities are necessarily imposed upon participating state and local housing agencies. Close coordination among federal, state and local officials is required in order to meet the nation's critical housing needs.

References:

- (1) FHA 4400.3 6A (4515.4)* - Income Limits for Section 236
- (2) 4520.1 - Rent Supplement Handbook
- (3) (4520.3)* - Income Limits for Rent Supplement Housing

*The information in parentheses indicates the location of the referenced material in the new classification system.

Cancellations: This cancels Handbook HPMC-FHA 4400.46 Interest Reduction Assistance and Rent Supplement Payments for Projects Developed under State and Local Programs and Circular FHA 4442.9, Section 236 Non Insured Mortgage Transactions.

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- 1 FHA Form 3104A, Monthly Report of Excess Income
(Section 236 - Non-Insured)
- 2 FHA Form 3111, Mortgagee's Certification and Application
for Interest Reduction Payments

CHAPTER 1. AUTHORITY

1-1. LEGISLATIVE AUTHORITY.

- a. Section 236 interest reduction payments are authorized by the provision under Section 236(b) of the National Housing Act, "That interest reduction payments may be made with respect to a mortgage or part thereof on a rental or cooperative housing project owned by a private nonprofit corporation or other private nonprofit entity, a limited dividend corporation or other limited dividend entity, or a cooperative housing corporation, which is financed under a state or local program providing assistance through loans, loan insurance or tax abatements..."
- b. Rent Supplement payments are authorized pursuant to Section 101 of the Housing and Urban Development Act of 1965, as amended: "The Secretary of Housing and Urban Development is authorized to make, and contract to make, annual payments to a 'housing owner' on behalf of 'qualified tenants' ...in such amounts and under such circumstances as are prescribed in or pursuant to this section." The term "housing owner", by statute, includes a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation which is the owner of a rental or cooperative housing project financed under a state or local program providing assistance through loans, loan insurance or tax abatement.

1-2. EQUAL EMPLOYMENT AND BUSINESS OPPORTUNITY AND NONDISCRIMINATION IN FEDERALLY-ASSISTED HOUSING.

a. Regulations.

- (1) Executive Order 11246, which relates to nondiscrimination in employment in federally-assisted construction contracts, and the Labor Department's Implementing Regulations and Hometown Plans apply to projects assisted under Section 236 and the Rent Supplement Programs (See 41 CFR 60 and 24 CFR 8).

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- (1-2) (2) Federal Law (Section 3 of the Housing and Urban Development Act of 1968 as amended) requires to the greatest extent feasible that opportunities for training, employment and business contracts arising in connection with the planning and carrying out of projects assisted under Section 236 and the Rent Supplement Programs shall be given to lower income persons residing in the project area. Also, contracts for work to be performed in connection with these projects are required to be awarded to the greatest extent feasible to business concerns located in or owned in substantial part by persons residing in the project area. HUD has issued proposed regulations (24 CFR 76) detailing these obligations.
- (3) Title VI of the Civil Rights Act of 1964 and HUD's related regulations (24 CFR, Part 1), which require that, "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving Federal financial assistance," applies to State and locally assisted housing.
- (4) State and locally assisted projects are subject to HUD's Affirmative Fair Housing Marketing Regulations, although the requirement of having a plan may be satisfied if one proposed plan is filed for all projects in a single housing market area.
- b. One of the requirements of HUD's regulations issued pursuant to Title VI is that every contract for Federal financial assistance and every application for such assistance shall, as condition to its approval and the subsequent extension of any Federal financial assistance, contain or be accompanied by an assurance that the program or activity will be conducted, and the housing accommodation facilities, services, financial aid or other benefits to be provided, will be operated and administered in compliance with all requirements imposed by HUD Title VI regulations (24 CFR, Part 1). Accordingly, every State and local agency application for assistance under Section 236, or the Rent Supplement Program must be accompanied by an executed assurance of compliance with Title VI (HUD Form 41901).

c. Additionally, pursuant to HUD's Title VI regulations State and local agencies in determining the site or location of housing may not utilize criteria or methods of administration which have the effect of subjecting persons to discrimination or have the effect of defeating or substantially impairing accomplishment of the objectives of the programs.

1-3. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970.

- a. Section 210 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (PL 91-646), (hereinafter the Act) states that "the head of a Federal agency shall not approve any grant to, or contract or agreement with, a State agency, under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in the displacement of any persons" unless he receives satisfactory assurances from such State agency that:
- (1) Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as required to be provided by a Federal agency under Sections 202, 203, and 204 of the Act;
 - (2) Relocation assistance programs offering the services described in Section 205 of the Act shall be provided to such displaced persons;
 - (3) Within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with Section 205(c) of the Act.
- b. Section 305 of the Act states that "notwithstanding any other law, the head of a Federal agency shall not approve any program or project or any grant to, or contract or agreement with, a State agency under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in the acquisition of real property on and after the effective date of this title, unless he receives satisfactory assurances from such State agency that:

- (1-3) (1) In acquiring real property it will be guided, to the greatest extent practicable under State law, by the land acquisition policies in Section 301 and the provisions of Section 302 of the Act, and
- (2) Property owners will be reimbursed for necessary expenses as specified in Sections 303 and 304 of the Act."
- c. Section 236 and rent supplement funds are within the statutory definition of Federal financial assistance which includes any "grant, loan, or contribution provided by the United States, except any Federal guarantee or insurance." (Section 101(4) of the Act).
- d. Two basic conditions must exist before the relocation statute is applicable: (1) there must be a contract between HUD and a State agency under which Federal financial assistance is provided, and (2) displacement must take place as a direct result of such assistance. The second condition is factual and must be determined in each particular case. The first condition exists in the State assisted Section 236 and rent supplement programs where there is a contract between HUD and a State agency. A State agency includes "any department, agency, or instrumentality of a state or of a political subdivision of a state, or any department, agency or instrumentality of two or more states or of two or more political subdivisions of a state or states." (Section 101(3).) When Section 236 or rent supplement assistance is provided under a contract with a State agency, whether the mortgage is insured by HUD-FHA or not, the Act is applicable provided that displacement does occur as a direct result of such assistance.
- e. The Act is effective on enactment (Jan. 2, 1971) except that until July 1, 1972, Sections 210 and 305 shall be applicable to a State only to the extent that such State is able under its laws to comply with such Sections. After July 1, 1972, such Sections shall be completely applicable to all States. As it is unlikely that State Housing Agencies presently possess sufficient enabling legislation to comply with the requirements of Sections 210 and 305, the practical effect of this provision is to exempt the State programs from Federal relocation responsibilities until July 1, 1972, or such earlier time as the necessary legislation can be obtained. However, no projects for which displacement will

continue past July 1, 1972, irrespective of the application of the Act to such projects prior to that date, will be approved unless a State Agency can presently give the assurances required by Sections 210 and 305. Thus the exemption is only effective for those projects for which all displacement can be accomplished prior to July 1, 1972.

- f. The application of PL 91-646 to State-assisted Section 236 and Rent Supplement projects is further complicated by deficiencies in the Act with respect to Section 236 and Rent Supplement projects as well as in the underlying legislation of these two programs. Briefly stated, there is no workable mechanism for sharing the cost to a State agency of providing relocation payments and assistance under the Act. Even if a State agency could comply with the requirements of Sections 210 and 305, it would still have to absorb, without Federal reimbursement, the full cost of providing relocation payments and assistance until such time as curative legislation could be enacted.
- 1-4. PREVAILING WAGES. Prevailing wages as determined by the Secretary of Labor are not required to be paid during construction unless the mortgage financing the construction is also insured by the Secretary.
- 1-5. ENVIRONMENTAL REQUIREMENTS. Department of Housing and Urban Development regulations, including interim requirements not yet published in final form, implementing the National Environmental Policy Act of 1969 (P.L. 91-190) and the Guidelines of the Council on Environmental Quality are applicable to each project submitted in accordance with this handbook.
- 1-6. DELEGATION OF AUTHORITY. The Secretary of Housing and Urban Development has delegated the responsibility for the administration of this program to the Assistant Secretary for Housing Production and Mortgage Credit and the Assistant Secretary for Housing Management.

CHAPTER 2. PROGRAM DEVELOPMENT AND PARTICIPATION

2-1. PROGRAM DEVELOPMENT.

- a. For state and local agencies not already participating in the program, the HUD-FHA field office(s) having jurisdiction should receive an original and two copies of the following: A letter requesting participation in the program, a copy of the applicable proposed financing plan, tax abatement provision, loan insurance program, administrative procedures adopted pursuant thereto, pertinent legal opinions, bond resolutions, mortgage and note forms, affirmative fair housing marketing plan, and such other information as may assist the central office in making a legal and administrative determination as to the acceptability of the state or local assistance program.
 - (1) After the initial submission required by this Section, the state or local agency will not have to resubmit the basic documents, such as bond resolutions, mortgage and mortgage note forms, on a project by project basis.
 - (2) However, any modification in the form of the basic documents used by the state or local agency must be submitted to the central office for approval.
- b. Central office will review the documents submitted and will communicate directly with the state or local agency for additional information if necessary to determine the qualifications of the state or local assistance program involved. If the program is qualified, the Director, Office of Subsidized Housing Programs will, by letter, so advise the state or local agency. The HUD-FHA field office, and the regional office will receive a copy of all pertinent correspondence.

2-2. PROGRAM PARTICIPATION.

- a. After receipt by the state or local agency of written notification of qualification for participation in the program and at least sixty (60) days prior to the beginning of each fiscal year, i.e., July 1, being the beginning of the Federal fiscal year, the state or local agency will

(2-2) submit to the HUD-FHA field office having jurisdiction a program participation report for such fiscal year for use by the field office in establishing the set-asides referred to in Paragraph 2-3. of this Handbook. The program participation report shall include a description of the agency's program and construction activity anticipated during the year for which funds are requested, in terms of one or more of the following:

- (1) A list of specific projects, for which funds are requested, expected to be under construction during the fiscal year (including anticipated construction start dates), to the extent such projects can be identified.
 - (2) A description, including number of units and approximate location, of the program for which funds are requested to be carried out by the state or local agency, during the fiscal year to the extent such programs have been established, in each locality(s) within the jurisdiction of the respective local HUD-FHA field office.
 - (3) A description of jurisdiction-wide or area-wide program activities, including the aggregate number of units, for which funds are requested during the fiscal year.
- b. Together with or subsequent to the program participation report, but in any event prior to reservation of contract authority with respect to each project for which funds are requested, the state or local agency also shall submit to the area or insuring office having jurisdiction the following material relating to such project:

- (1) Data necessary for evaluation of the project under criterion No. 2 of HUD's Project Selection Criteria (PSC)* (HUD also may obtain and consider other information available to it which relates to evaluation of the project under criterion No. 2.).

*Although HUD initially will only review the project with respect to item 2 of the PSC at the time of reservation of contract authority, the state or local agency is nevertheless responsible for ensuring that all projects comply at least with the minimum requirements of the PSC (i.e., the projects merit at least an "adequate" with respect to all criteria). From time to time, HUD shall conduct audits of the participating state and local agencies to determine whether minimum requirements of the PSC are being met.

- (2) The total number of units in the project, together with the number of units to be assisted under Section 236 and the number of units, if any, which will require rent supplements.
- (3) The estimated mortgage amount and the anticipated permanent interest rate as to the project, and the anticipated interest rate that the agency will pay on the bonds sold to finance the project, and the amount of Section 236 and/or rent supplement funds required, including the amount of exception income limit funds to be utilized.
- (4) A duly executed Assurance of Compliance with Title VI.
- (5) All appropriate information and data necessary for HUD-FHA to make a determination regarding the proposed project's effects on the environment.

2-3. SET-ASIDE OF RENT SUPPLEMENT AND SECTION 236 CONTRACT AUTHORITY.

The HUD-FHA field office Director will establish for each participating state or local agency within the jurisdiction of the Director a specific set-aside of contract authority for the ensuing fiscal year. Prior to the establishment of such a set-aside, and immediately after a field office receives any allocation of Section 236 contract authority or pre-feasibility authority, the Director will consult with such agency with respect to the amount of such set-aside.

a. The Director's determinations regarding set-asides for state and local agencies shall be announced to the agency as soon as possible after the aforementioned meeting and shall be drawn from a variety of factors including, but not limited to, the following considerations:

- (1) The estimated total fiscal year contract authority available to the local HUD-FHA field office.
- (2) Backlog of insured proposals within the HUD-FHA office awaiting funding.
- (3) Projects "in the pipeline" at the state or local agency that the agency in fact appears able to process and finance within or shortly after the end of the fiscal year.

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- (2-3) (4) Trade-offs between state and HUD-FHA sponsored projects among geographical areas in order to provide housing in as many necessary markets as possible, and to avoid over-saturation of any one market.
- (5) Past performance of the state or local agency as an indication of future capacity.
- b. The set-aside automatically will include authorization to use up to twenty (20%) percent of the Section 236 funds for exception income limit families. Additional exception income limit funds may be approved by the Director, Office of Subsidized Housing Programs. The twenty (20%) percent of funds for exception income limits may be used at the discretion of the state or local agency.
- c. In addition, the rent supplement set-asides may be utilized at the discretion of the state or local agency to the extent that in a project assisted under Section 236, up to forty (40%) percent of the total number of units in that project may be assisted with rent supplement payments; provided, that rent supplement payments in such a project may be utilized only with respect to Section 236 assisted units; and provided further, that, except with the approval of the Director, Office of Subsidized Housing Programs, the aggregate number of Section 236 units to be further assisted by rent supplement payments shall not exceed twenty (20%) percent of the agency's total Section 236 unit set-aside.

CHAPTER 3. APPLICATION FOR ASSISTANCE UNDER SECTION 236

- 3-1. CONTRACT AUTHORITY. After a state or local agency has submitted its program and has been approved as an eligible participant by the central office and a set-aside of Section 236 contract authority has been established, the agency, after being advised that the required contract authority has been made available, should submit requests for contract authority for individual project proposals with the least possible delay. Outstanding HUD-FHA underwriting and fiscal instructions will be utilized only when proposals submitted by state and local agencies indicate the use of HUD-FHA mortgage insurance. The following instructions apply to only those proposals financed by other than HUD-FHA insured mortgages.
- 3-2. ELIGIBLE MORTGAGORS. Assistance payments may be made with respect to a rental or cooperative housing project owned by a private nonprofit corporation or other private nonprofit entity, limited distribution entity, or a cooperative housing corporation, as approved under the state or local program. As provided for by Section 236(b) of the National Housing Act, the Secretary is authorized to make interest reduction payments for all or part of a mortgage. The state or local agency should apply for funding to cover only that portion of the mortgage requiring Section 236 assistance.
- 3-3. ELIGIBLE PROJECTS AND MORTGAGES. Rental and cooperative projects consisting of five or more units and involving either new construction or substantial rehabilitation and receiving assistance under a state or local program providing assistance in the form of any one or a combination of (a) mortgage financing, (b) mortgage insurance, or (c) tax abatement are eligible to receive interest reduction payments under Section 236. Projects may be designed exclusively for the elderly or handicapped. Projects must be approved for receiving Section 236 or Rent Supplement assistance payments prior to the completion of construction or rehabilitation. The maximum term of the mortgage may not exceed 40 years except where a term of up to 50 years is permitted by the state or local assistance program.

3-4. REQUIRED EXHIBITS. The following data and exhibits must be submitted when requesting a preliminary reservation of contract authority:

- a. FHA Form 3126 Preliminary Reservation of Contract Authority (Section 236) which shall reflect a maximum annual total amount of interest reduction payments computed on a rate of interest plus fees and charges up to the maximum approved HUD-FHA rate including MIP, as of the date of the submission. If rent supplement assistance is requested, FHA Form 2500 should also be submitted.
- b. Previous Multifamily Participation Certificate, FHA Form 2530.
- c. Equal Employment Opportunity Certification FHA Form 2010.

3-5. REVIEW OF PROPOSALS. Since the mortgages on these projects are not insured by the Secretary, there will be no feasibility or underwriting review of the submission. However, the HUD-FHA field office may advise the participating agency as to any pertinent information it has concerning the proposed site. Furthermore, prior to reservation of contract authority, HUD-FHA will make an independent evaluation of every proposed project to assure that it complies with the standards of at least an "adequate" rating on Criterion No. 2, Minority Housing Opportunities, of the Project Selection Criteria. HUD-FHA will make a similar evaluation for purposes of determining whether the proposed project may have any harmful effects upon the environment (See paragraph 1-5).

- a. If so requested by the state or local agency as necessary to prompt processing, the local HUD-FHA field office will make evaluations with respect to Criterion No. 2 and the environment within thirty (30) days after receipt from the state or local agency of the data necessary to make the evaluations, or else will advise the state or local agency within such thirty (30) day period that additional data are required, specifying the needed data. If HUD-FHA requests additional data with respect to any evaluation, HUD-FHA will make the related evaluation within thirty (30) days after receipt of such additional data.

- b. The project, or the portion thereof to be subsidized under Section 236, shall be designed so that the basic rent with maximum subsidy is less than 25 percent of the income limits. The income limits shall be 135 percent of public housing admission limits, or 90 percent of the Section 221(d)(3) BMIR admission limits, in the locality. If there is no public housing authority, the limits will be established by HUD. The project should be designed to reach as broad a market of income eligibles as possible, including, where a state or local agency desires, occupancy by a combination of "low and moderate" income families in Section 236 assisted units and other families eligible under state and local programs. In those cases where it is not possible to develop a suitable project under the state or local programs within the 135 percent income limitation, the special exception limits which are set at 90 percent of the BMIR limits established for the locality may be used. However, in the event the proposal can be designed within the 135 percent regular income limits, the state and local agency, in order to attain an economic mix, may elect to use exception limit funds for some of the units in any project, provided that the total annual amount of exception limit funds used by the state or local agency does not exceed the amount of exception limit funds included in such agency's set-asides. In most cases, participating agencies will be limited to 20 percent of the contract authority for use in connection with exception income limits. Projects which meet the foregoing income limit tests will be approved for Section 236 assistance if the average Section 236 subsidy cost per unit for the project does not exceed the average subsidy cost per unit of similar bedroom count in recently processed HUD-FHA insured Section 236 projects of comparable type, construction and location.
- c. If there is no such comparable project, HUD-FHA shall formulate a hypothetical comparable HUD-FHA insured project for the purposes of the test described above.
- 3-6. COMMERCIAL FACILITIES. Section 236 assistance funds shall not be utilized to subsidize the rental of any commercial facilities.
- 3-7. OFFICE REVIEW. The field office shall review, on the basis of the provisions of Paragraph 3-5, a request for assistance funds made pursuant to the provisions of Paragraph 3-4, and shall act on such request promptly after receipt. The field office

director will indicate his approval of the request by signing the appropriate reservation form. Upon approval of the reservation, funds shall be released from the block allocation in accordance with each reservation, and three signed copies of the FHA Form 3126 shall be forwarded to the Director, Office of Subsidized Housing Programs, and one copy shall be forwarded to the state or local agency.

If a request for assistance funds is rejected, the submission together with the reason(s) for rejection, will be returned to the state or local agency with copies to the regional office and to the Director, Office of Subsidized Housing Programs.

3-8. RENT SUPPLEMENTS. Rent supplement assistance can be used in Section 236 assisted projects in accordance with Chapter 4 of this handbook and paragraph 2-3. above.

3-9. SECTION 236 RENTAL CHARGES. For projects or portions thereof assisted under Section 236, the mortgagor must establish the following for each dwelling unit to be subsidized, based upon a reasonable distribution of cost and value of the individual units:

- a. A basic rent charge determined on the basis of operating the project with equal monthly payments (computed on an annual basis, if desired by the state or local agency) for principal and interest, under a mortgage bearing interest at the rate of one percent; and
- b. A fair market rental charge determined on the basis of operating the project with the payments or principal and interest due under the project mortgage plus fees and charges payable to the state or local agency under the project mortgage, and necessary to meet reserve requirements and administrative expenses of such agency, provided that such interest and fees and charges can be included in the calculation of fair market rental only to the extent that the total of such interest and fees and charges does not exceed the sum of the current maximum HUD-FHA interest rate and the amount for MIP. Where the assistance provided by the state or local agency is in the form of insurance, then the insurance premium charges by the agency cannot exceed the HUD-FHA MIP rate.

- b. The project, or the portion thereof to be subsidized under Section 236, shall be designed so that the basic rent with maximum subsidy is less than 25 percent of the income limits. The income limits shall be 135 percent of public housing admission limits, or 90 percent of the Section 221(d)(3) BMIR admission limits, in the locality. If there is no public housing authority, the limits will be established by HUD. The project should be designed to reach as broad a market of income eligibles as possible, including, where a state or local agency desires, occupancy by a combination of "low and moderate" income families in Section 236 assisted units and other families eligible under state and local programs. In those cases where it is not possible to develop a suitable project under the state or local programs within the 135 percent income limitation, the special exception limits which are set at 90 percent of the BMIR limits established for the locality may be used. However, in the event the proposal can be designed within the 13^e percent regular income limits, the state and local agency, in order to attain an economic mix, may elect to use exception limit funds for some of the units in any project, provided that the total annual amount of exception limit funds used by the state or local agency does not exceed the amount of exception limit funds included in such agency's set-asides. In most cases, participating agencies will be limited to 20 percent of the contract authority for use in connection with exception income limits. Projects which meet the foregoing income limit tests will be approved for Section 236 assistance if the average Section 236 subsidy cost per unit for the project does not exceed the average subsidy cost per unit of similar bedroom count in recently processed HUD-FHA insured Section 236 projects of comparable type, construction and location.
- c. If there is no such comparable project, HUT-FHA shall formulate a hypothetical comparable HUD-FHA insured project for the purposes of the test described above.
- 3-6. COMMERCIAL FACILITIES. Section 236 assistance funds shall not be utilized to subsidize the rental of any commercial facilities.
- 3-7. OFFICE REVIEW. The field office shall review, on the basis of the provisions of Paragraph 3-5, a request for assistance funds made pursuant to the provisions of Paragraph 3-4, and shall act on such request promptly after receipt. The field office

- c. Any revision in the basic rental or fair market rental for any unit shall be made or approved in accordance with the following procedures:

The state or local agency will make or approve rental revisions in conformity with applicable state or local law and regulations, and will notify the local HUD-FHA field office director in writing of every such revision. The field office director will not unreasonably withhold approval of rent revisions made or approved by the state or local agency. Notice of approval or disapproval of any revision will be given by the local field office director within 30 days of the date of receipt of the state or local agency's notification to the local field office director of such revision.

- d. The rental for each assisted unit, including all utilities except telephone, shall be equal to 25 percent of the tenant's adjusted annual income or the amount of the basic rental, whichever is greater, but in no event may the tenant's rental charge exceed the fair market rental. All rentals on assisted units collected by the mortgagor in excess of the total basic rentals for all assisted units will be remitted monthly to the Secretary, along with a monthly report on FHA Form 3104-A, approved by the Secretary. No offsets of any kind are permitted. The forms and procedures to be followed in reporting such excess income are explained on the form.

- 3-10. ELIGIBLE TENANTS. Admission to Section 236 assisted units in state or locally assisted housing projects is limited to those families whose incomes do not exceed the statutory limits. The Section 236 income limits will vary with the project locality and the number of persons in the tenant's household. These limits are set forth in Reference 1 of the Foreword.

- a. Applicable limits will be made available to each sponsor by the HUD-FHA field office.
- b. Mortgagors must exercise care to ensure that tenants admitted into assisted units have incomes meeting appropriate regular or exception income limits depending upon which limits were used in the reservation of funds.

(3-10) c. For purposes of eligibility calculations, adjusted annual income shall include expected income during the next twelve months from all sources, before taxes or withholding, of all members of the family who propose to live in the unit, excluding unusual or temporary income, except that \$300 shall be deducted for each minor person (under 21 years of age) related by blood, marriage, or operation of law living in the household. Any earnings of such minors shall not be included in the income of the household. From the gross annual income, there shall be excluded five percent of such family income as an allowance in lieu of amounts withheld for social security, withholding, and similar payroll deductions. "Unusual" or "temporary" income may include all or part of overtime pay which will be discontinued, income of a secondary wage earner which is expected to terminate, unemployment compensation which does not occur regularly, or other income which will be discontinued.

d. In addition to meeting applicable income limits, tenants must also be one of the following:

- (1) A family, defined as two or more persons related by blood, marriage or operation of law, who occupy the same unit;
- (2) A single person at least 62 years of age;
- (3) A single person less than 62 years of age, provided that occupancy by this category is limited to 10 percent of the Section 236 assisted units in the project;
- (4) A handicapped person. A person is handicapped if he has a physical impairment which:
 - (a) Is expected to be of long continued and indefinite duration;
 - (b) Substantially impedes his ability to live independently; and
 - (c) Is of such nature that his ability to live independently could be improved by more suitable housing conditions.

This Section (3-10) does not apply to tenants who pay market rent.

- 3-11. TENANT CONTRIBUTION TOWARDS RENT. The tenant will pay the basic rent for the unit or 25 percent of his adjusted monthly income as determined in accordance with Paragraph 3-10, whichever is greater. As a tenant's income rises, he will continue to pay more toward rent until such time as 25 percent of his adjusted monthly income equals market rent.
- 3-12. TENANT PREFERENCE. The law requires that preference for occupancy in Section 236 assisted units must be given to those displaced from their homes by urban renewal, government action, or a natural disaster as determined by the President. Displacees must submit a "Certificate of Eligibility" (FHA Form 3476) or a comparable state or local certificate as evidence that they have been displaced from their home in one of the above ways.
- a. Discrimination in the selection of tenants because of race, religion or national origin, or because of children in the family is prohibited.
 - b. The mortgagor, under the supervision of the state or local agency, is responsible for tenant selection, assignment of dwelling units, eviction and other management functions.
- 3-13. UNIT ASSIGNMENT. A tenant may not rent more than one unit at any time without the prior written approval of the state or local agency and the Secretary. Furthermore, a member of a cooperative may own only one membership interest, thereby entitling him to occupy only one unit.
- 3-14. SIZE OF UNIT. The mortgagor is responsible for the assignment of an appropriately sized unit for each eligible tenant, based on the number of persons in the household, their relationship and sex. Care should be taken not to assign a family a larger unit than is needed.

- a. The following is a recommended schedule of unit size:

<u>Number of Bedrooms</u>	<u>Number of Persons</u>	
	<u>Minimum</u>	<u>Maximum</u>
0	1	2
1	1*	2
2	2	4
3	4	6
4	6	8

*Only if no efficiencies are available.

b. Although these recommended limitations should provide for varying need without overcrowding, the mortgagor must recognize that different needs do exist. For example, a four-person family may need only two bedrooms if both children are of the same sex, but may need three bedrooms if there is one boy and one girl.

3-15. CERTIFICATION AND RECERTIFICATION OF INCOME. The mortgagor must verify the adjusted income certified by the prospective tenants for initial occupancy, and by present tenants for continued subsidized occupancy. The mortgagor will also require tenants to recertify incomes every two years or at lesser intervals if requested by the Secretary, and he will make appropriate adjustments in rental charges to reflect changes in the tenant's adjusted income. (See FHA Form 3131.)

- a. The mortgagor's verification of the initial certification and subsequent recertification may be in the form of a letter (or other written certification) from the salaried tenant's employer or other document acceptable to the state or local agency. Self-employed tenants must submit copies of their latest federal income tax returns, or other acceptable verification. The evidence of tenant income must be kept in the mortgagor's files for three years and will be subject to audit. Recertification must be on FHA Form 3132.
- b. Certification of income should not be made more than 60 days prior to occupancy of the unit. Recertification of income should be made in time to allow the tenant reasonable notice of any increase in rent. Certification of a cooperative member's income is made at the time of purchase of the membership interest.
- c. These certifications and recertifications serve as the basis for establishing the initial rental charges for the first interest reduction payment contract year and to give effect to changes in tenant income and family composition. The interest reduction payments made to the lender on behalf of a mortgagor are contingent upon the mortgagor's obtaining initial certifications and subsequent recertifications of income and family composition for the project tenants as required by the Secretary. A tenant may request an adjustment at any time if the family income changes by completing and submitting FHA Form 3132 to the housing owner or manager.

3-16. INTEREST REDUCTION PAYMENTS. Interest reduction payments will be made pursuant to an Interest Reduction Contract, the form of which has been agreed to by HUD-FHA and the state or local agency and, executed by the mortgagor, the mortgagee and the Secretary.

- a. Interest reduction payments will be made on that portion of the mortgage to be covered, and, in an amount equal to the difference between:
 - (1) The monthly payment for principal, if any, and interest computed on either a monthly basis or an annual basis (the basis being the method on which the state or local agency pays its obligations), plus fees and charges, which the mortgagor is obligated to pay under the project mortgage, and
 - (2) The monthly payment for principal, if any, and interest, computed on a monthly basis (or an annual basis if desired by the state or local agency), which the mortgagor would be required to pay on a hypothetical mortgage bearing interest at the rate of one percent per annum and with an amortization period not in excess of the anticipated permanent financing term but not to exceed 50 years; provided, that for purposes of the computation under (1) above, as of the date of execution of the Interest Reduction Contract, the rate of interest plus fees and charges may not exceed the sum of the maximum approved HUD-FHA rate and the amount for MIP, as of such date.
- b. If the amortization period of the permanent financing works out to be less than that used in connection with the hypothetical mortgage, the interest reduction contract will be amended so as to correspondingly reduce the hypothetical amortization term and thereby decrease the actual interest reduction payments.

(3-16) c. In cases where, because of the method of financing employed by the state or local agency, permanent financing for the project has not been arranged prior to execution of the Interest Reduction Contract, the Contract may be amended at the request of the state or local agency, after such permanent financing has been arranged, to provide for a recomputation of the maximum annual total amount of interest reduction payments on the basis of the permanent financing interest rate.

- (1) If such recomputation results in an increased maximum annual total amount of interest reduction payments, the Interest Reduction Contract shall be amended to provide for such increase to the extent that Section 236 contract authority is available or can be made available to the state or local agency.
- (2) If such recomputation results in a decreased maximum annual total amount of interest reduction payments, the Interest Reduction Contract shall be amended to provide for such decrease, and, the excess Section 236 contract authority resulting from such decrease shall be made available for immediate use by the agency.
- (3) For purposes of the above - described recomputation, the permanent mortgage interest rate plus fees and charges shall not exceed the approved HUD-FHA interest rate as of the date of the sale of bonds for permanent financing adjusted for yield purposes "to the nearest 1/8 of a point" to reflect the Federal National Mortgage Association discount rate for Section 236 projects resulting from the FNMA auction most recent to the date of the sale of the bonds; and to this amount, an additional amount for MIP should be added.
- (4) The provisions of this sub-paragraph shall be applicable only to projects financed by state and local agencies and not insured by the HUD-FHA. In such cases where an Interest Reduction Contract, per se, is not the type of agreement that has been executed, the amendment provided for herein shall be to the document pursuant to which such interest reduction payments in fact are to be made.

- (3-16) d. Interest reduction payments as to a project or major portion thereof will accrue as set forth in the Interest Reduction Contract, but in no event earlier than the due date of the first payment to interest under the project mortgage, provided that the project or portion thereof is ready for occupancy, and such payments will be made monthly thereafter until terminated pursuant to the terms of the Interest Reduction Contract. Interest reduction payments as to a major portion of a project substantially ready for occupancy shall be made in an amount bearing the same relationship to the estimated full amount of such payments were the entire project substantially ready for occupancy as the number of assisted rooms in the portion of the project substantially ready for occupancy bears to the total number of assisted rooms in the project.
- e. When a project or major portion thereof is substantially ready for occupancy, the state or local agency shall so certify to the HUD field office. Within ten (10) days after receipt of such a certification, the field office Director shall forward the certificate, with his verification as may be required, to the Office of the Comptroller with copies to the Director, Office of Subsidized Housing Programs and the Assistant Secretary for Housing Management. If such Director finds grounds to withhold such verification, he shall advise the state or local agency in writing of such grounds within the aforesaid ten (10) day period, and the determination of the time of readiness for occupancy shall then be negotiated by the director and the state or local agency. This determination, when made, shall be submitted by the director, and copies shall be furnished, in the manner described in the second sentence of this sub-paragraph.
- f. In the event that permanent financing has not been arranged prior to the commencement of interest reduction payments, the state or local agency will be required to furnish, together with the aforementioned information, the rate of interest payable under the current financing plan applicable to the project mortgage.

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- 3-17. FHA FORM 3104A, MONTHLY REPORT OF EXCESS INCOME. This form has been developed for use in connection with Section 236 non-insured transactions only. Complete instructions are contained on the form.
- 3-18. FHA FORM 3111, MORTGAGEE'S CERTIFICATION AND APPLICATION FOR INTEREST REDUCTION PAYMENTS. This form has also been developed for use in connection with Section 236 non-insured transactions only. Instructions are contained on the form.
- 3-19. DISTRIBUTION OF THE FORMS. A general distribution of the forms is not being made at this time because of the limited need for them. However, HUD field offices may requisition supplies of the forms on an "as needed" basis in the usual manner. A copy of each form is made an exhibit in the back of this handbook.

CHAPTER 4. APPLICATION FOR ASSISTANCE UNDER THE RENT SUPPLEMENT PROGRAM

Procedures to be followed for requesting rent supplement assistance under state and local programs are similar to instructions for requesting Section 236 assistance except where program differences require.

4-1. ELIGIBLE PROJECTS.**a. Rent supplements can be used in two ways:**

- (1) In accordance with paragraph 2-3, a portion of units assisted under Section 236 are also eligible for the additional assistance provided by rent supplements. State and local agencies are encouraged to develop Section 236 projects that include units further assisted by rent supplements. Families and individuals who are eligible for rent supplements will be required to pay at least 25 percent of their adjusted income for rent. The difference between this amount and the full market rent (basic rent in Section 236 projects) for the particular dwelling unit will represent the amount of the rent supplement for the family or individual.
 - (2) Projects may be developed exclusively under the rent supplement program. This paragraph applies to those projects which are receiving Rent Supplement Assistance only. Such projects must be built within specifications which equal or exceed the applicable HUD-FHA guidelines. Projects are subject to regulation by the Secretary as to rents, methods of operation and rent supplement payments. Rent supplement projects must be of modest design and suitable to the market and the location proposed. Projects should incorporate good design principles and not have features that will contribute to premature obsolescence.
 - (3) In both proposed or rehabilitated projects, consideration must be given to accomplishing optimum unit livability for the most reasonable expenditure of subsidy dollars.
- b. HUD-FHA will approve rentals for living units in a rent supplement project. As a means of assuring that rent supplement units will serve tenants in the income range intended by Congress, HUD-FHA will establish maximum limits on gross rentals for units of different size.

- c. In cases where suitable housing can be produced for less, it will be done. In high cost areas, the maximum rentals may be increased up to 25 percent where necessary. In those projects receiving Section 236 assistance and requesting rent supplement benefits, the rent supplement payments will be applicable to the Section 236 Basic Rents. In no case shall a contract provide for such payments with respect to any housing for a period exceeding forty years.
- 4-2. RENT SUPPLEMENT CONTRACT. The HUD-FHA field office will be responsible for negotiating rent supplement contracts with sponsors on all projects which are eligible for rent supplement payments. The rent supplement contract shall be executed prior to the completion of construction. The amount of the initial rent supplement contract will be based on the estimated occupancy pattern developed by the field office for the specific project using instructions contained in Reference 2 of the Foreword. The sponsor should achieve a pattern of occupancy and tenant income as close as possible to that on which the original allocation was based. The rent supplement contract provides for adjustment at the end of a prescribed rent-up period to reflect actual rent supplement requirements within the total contract plus the required 10 percent contingency. It is the sponsor's responsibility to remain within the allocated funds. The contract will be executed in quintuplicate and distributed in accordance with current fiscal procedures governing the rent supplement program.
- 4-3. LOCAL APPROVAL. All projects receiving the benefits of rent supplement assistance must either be part of a Workable Program for Community Improvement which contemplates the use of rent supplements or have local approval for participation in the program. Local approval should be in the form of a resolution passed by the local governing body and signed by the authorized local official.
- 4-4. ELIGIBLE TENANTS. Owners of rent supplement projects will be responsible for selecting tenants. They may rent units to families or individuals who can afford to pay full market rents or to families or individuals eligible to receive rent supplements. There is no established proportion of tenants paying market rents and those receiving rent supplements. The proportion may vary from project to project.

- a. The law provides that a prospective tenant must satisfy certain eligibility tests before he can receive rent supplements. These tests or requirements are applicable to both residents receiving such assistance residing in Section 236 projects and those residents of projects where the only assistance received is rent supplement payments.
- (1) First, the tenant's income must be within the income group eligible for admission to public housing.
- (2) Second, he must qualify under one of the following categories:
- (a) He must have been displaced by governmental action, such as urban renewal, code enforcement, highway development, etc.,
- (b) Either he or his spouse must be 62 years of age or older;
- (c) Either he or his spouse must be physically handicapped;
- (d) He must now be living in substandard housing;
- (e) His present or former dwelling must have been destroyed or extensively damaged by a natural disaster; or (6) the head of the family or spouse is serving with the Armed Forces of the United States on active duty.
- b. In addition, the law requires that preference for occupancy in rent supplement assisted units be given to those displaced from their homes by urban renewal, governmental action or a natural disaster as determined by the President. A Certificate of Eligibility (FHA Form 3476) or a comparable state or local certificate as evidence of the above must be submitted by the displacee.

4-5. INCOME LIMITS. The Department of Housing and Urban Development has established income ceilings in cities with a population of more than 250,000 and in a number of smaller cities. These income limits are in no instance higher than the income limits in the same locality for admission of regular tenants to public housing. In a few cases, the rent supplement income limits are below the comparable public housing limits.

In localities where there is no public housing authority, income limits for rent supplements are based on available rental information and the income limits for public housing in a near-by locality having comparable cost levels. Current income limits for each area can be found in Reference 3 of the Foreword.

4-6. DETERMINING TENANT ELIGIBILITY. The mortgagor will be responsible for tenant selection and for the usual landlord-tenant relationship. However, HUD-FHA will be responsible for determining whether or not a tenant is eligible for rent supplements. A low-income family will apply for rent supplements directly to the project manager by filling out FHA Form No. 2501. The housing owner or manager will assist the applicant in completing this form. Instructions are on the front of the form.

- a. In determining whether or not a family or individual is eligible for rent supplement, gross income from all sources, before taxes or withholding, of all members of the household who propose to live in the unit will be counted. There shall be deducted from gross income a \$300 allowance for each minor person (under 21 years of age), excluding the tenant and his spouse, related by blood, marriage or operation of law, living in the household. Any earnings of such minors shall not be included in the income of the household.
- b. In order to obtain the best possible estimate of gross income, both the income for the last 12 months and the income at the time of certification should be considered. There are other factors which ought to be investigated to assure a realistic estimate of expected gross annual income; for example, an anticipated salary increase should be added when determining expected gross annual income, but temporary or unusual income or overtime pay which is not expected to continue should be excluded. The figure most representative of expected gross annual income may be different from either past income or current income at the time the application is made, but should not be derived by taking an arithmetic average of the two. Project owners and managers should exercise special caution in verifying income where present income is lower than past income. The five percent deduction for withholding is not applicable in rent supplement cases.

c. For purposes of rent supplement payment calculations, an additional deduction for unusual expenses may be made from adjusted gross annual income. Unusual expenses may include expenses for disability or continued illness or for care of children or aged or other dependent persons. The housing owner (or manager) will calculate the amount of rent supplement to which the tenant is entitled and will send the original and two copies of the completed Form 2501 to the field office for final review and approval. After approval, HUD-FHA will return a copy of the 2501 to the housing owner and will retain the original and a copy.

4-7. ASSET LIMITATIONS. In addition to restricting gross income to the limits established for a family or household of a certain size or for a single individual, an examination will be made of each applicant's assets before he is approved for rent supplements.

- a. Total assets cannot exceed \$2,000 unless the applicant is 62 years of age or older, in which case his assets may total \$5,000. The asset limitation is higher for elderly than for other tenants because elderly persons must often rely on savings to supplement social security or other retirement income to pay current living expenses.
- b. Personal property such as furniture, clothing, automobiles, etc., will not be counted as assets for purposes of determining eligibility; however, the estimated value (based on acquisition price) of any real estate owned by any member of the family, less indebtedness, should be listed. Unpaid bills for food or medical expenses (but not for education, furniture, automobiles, or other personal property or expenses) may be deducted from assets.

4-8. RENT SUPPLEMENT AMOUNT. The amount of each rent supplement will be based on the difference between 25 percent of the income of the eligible family or individual and the HUD-FHA approved rental (basic rent in a Section 236 project) for the living unit occupied. The amount of the supplement will be rounded to the nearest dollar.

- a. The rent supplement for any tenant may not exceed 70 percent and must represent at least 10 percent of the HUD-FHA approved rent for the housing unit.

- b. The maximum subsidy will be required only for families of extremely low income.
- c. All rent supplement contracts are to provide that no more than 25 percent of the units in a project may be eligible for supplementation of more than 60 percent of the economic rent.

4-9. RECERTIFICATION OF INCOMES. A provision must be included in each rent supplement tenant's lease requiring the recertification of current income each year from the date of original certification with appropriate documentation on FHA Form 2501. This provision does not apply to elderly tenants. HUD-FHA will review the facts submitted and will make appropriate revisions in the amount of subsequent rent supplement payments so that the tenant will pay 25 percent of his income as his share of the rent. When 25 percent of the tenant's monthly income equals the full monthly rent for the unit he occupies, rent supplements will be discontinued.

In addition to annual recertification of income, each lease must contain a provision which will require rent supplement tenants to report immediately to the housing owner if their income increases to four times the full HUD-FHA approved rent (basic rent in a Section 236 project) for the living unit occupied, which will result in the elimination of the rent supplement payment. This requirement applies also to the elderly.

4-10. REDUCTION OF INCOME. If a tenant's income drops after initial occupancy, he may file an amended application (Form 2501) with the housing owner or manager and request an increase in his rent supplement. The housing owner may submit the amended application to HUD-FHA for approval, if an increase in the tenant's supplement could be made without exceeding the limits of the rent supplement contract.

4-11. WELFARE TENANTS. The amount of rent to be paid by an applicant who is receiving public welfare assistance shall not be less than the rental allowance which is provided by the welfare agency, nor less than 25 percent of adjusted income, including welfare assistance.

4-12. RENT SUPPLEMENT PAYMENTS.

- a. As of the first day of each month the housing owner will prepare FHA Form No. 2505, Schedule of Rent Supplement Payments Due, for the preceding month listing thereon:
 - (1) The month and year;
 - (2) Project name and number;
 - (3) Contract number;
 - (4) Tenant's name (head of family or household) listed in straight alphabetical order by last name;
 - (5) Unit number or address, and
 - (6) The amount of the rent supplement as approved by HUD-FHA on FHA Form 2501.
- b. In all cases the amount of rent supplement shown on the schedule will be dollars only. In addition, for the first month occupancy, the date occupied will be shown and for the last month of occupancy the date vacated.
- c. The housing owner will prepare a Public Voucher for Purchases and Services other than personal, Standard Form 1034, original and three copies, in accordance with the attached exhibit. The amount shown thereon must agree with the total developed on the Schedule of Rent Supplement Payments Due. The original and three copies of the SF 1034 and the original and one copy of Form 2505 Schedule of Rent Supplements Due are to be submitted to the HUD-FHA field office not later than the 10th day of the month following the operating month for which payment is claimed.

APPENDIX 1

FHA FORM NO. 3104A

Form Approved
Budget Bureau No. 43-81267U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FEDERAL HOUSING ADMINISTRATIONMONTHLY REPORT OF EXCESS INCOME
(Section 236 - Non-Insured)

TO: Assistant Commissioner-Comptroller Federal Housing Administration Dept. of Housing & Urban Development Washington, D. C. 20412 Attn: Receipts and Deposits Section	FHA Interest Reduction Contract No.: Name & Mailing Address of Project:
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INSTRUCTIONS: In accordance with the provisions of Section 236(g) of the National Housing Act, and the Interest Reduction Contract, project owners must each month remit all collections in excess of the approved basic rentals for each occupied dwelling unit. Any surcharge collected in accordance with applicable provisions of State law is not considered as a rental charge and will be excluded from the computation when calculating excess income. Prepare this form in quadruplicate on the 10th of each month to report the prior month's collections. A report must be submitted each month, whether or not a remittance is required. Forward original and two copies to addressee. When the collection for any month is in excess of the approved basic rental for each occupied unit, a remittance made payable to "Federal Housing Administration" for the total excess collections must accompany this report.

A detailed schedule must be prepared as of the end of each month showing the basic rental rate and the actual rental collected for each occupied unit, and the amount of the excess rental, if any, being remitted to FHA. This schedule must be prepared each month regardless of whether excess funds are being remitted.

This schedule must be attached to your retained copy of FHA Form No. 3104A, Monthly Report of Excess Income, and made available, upon request, for audit by the FHA or the Comptroller General of the United States.

Gross rental collections for all occupied units including any surcharge collected in accordance with State law \$
Less: Any surcharge collected in accordance with State law \$
Net rental collections \$
Less: Basic rental approved for occupied units \$
Excess Income \$

I certify that the above information is true and correct.

Signature & Title of Mortgagor Official:	Date:	Report for the Month of:
--	-------	--------------------------

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WARNING: Section 1010 of Title 18, U. S. C., "Federal Housing Administration transactions," provides: "Whoever, for the purpose of . . . influencing in any way the action of such Administration . . . makes, passes, utters, or publishes any statement, knowing the same to be false . . . shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

HUD-Wash., D. C.

7-1964-2

FHA FORM NO. 3111 U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FEDERAL HOUSING ADMINISTRATION MORTGAGEE'S CERTIFICATION AND APPLICATION FOR INTEREST REDUCTION PAYMENTS <i>(Section 236 - Non-insured Mortgages)</i>								FOR FHA USE ONLY			
								Voucher No.:			
								Schedule No.:			
TO: Assistant Commissioner-Comptroller Federal Housing Administration U. S. Department of Housing and Urban Development Washington, D. C. 20412 Attn: Administrative Expense Section		PAYEE/Enter Name, Address & ZIP Code of Mortgagee or Servicer(s) Amounts claimed cover all payments due on the first day of: <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>Month</td> <td>Year</td> </tr> </table>								Month	Year
Month	Year										
INSTRUCTIONS: Submit original and 1 copy not later than the 20th of each month. Include interest reduction payments due on the first day of the following month for all non-insured mortgages on which an interest reduction contract has been executed by FHA. Provide all information requested below for each mortgage on which an interest reduction payment is claimed. DO NOT use this form for mortgages insured under section 236, see FHA Form No. 3102. Detailed instructions and requirements are contained in the Mortgagees' Guide, Assistance Payments Under Section 235 and Interest Reduction Payments Under Section 236, FHA G 4400.8.											
Name & Address of Mortgagor	Project Number	Original Face Amount of Mortgage	Migr. Int. Rate	Monthly Payment to P & I	Migr. Term in Years	No. of Units	Interest Reduction Payment Factor	Interest Reduction Payment	Holding Charge	Total Payment Due	
TOTAL AMOUNT OF THIS BILLING →											
CERTIFICATE: I, undersigned hereby certifies to the best of his knowledge and belief that (a) each interest reduction payment included in this billing has been calculated in accordance with the provisions of the interest reduction contract; (b) all certifications required under the interest reduction contract have been obtained; (c) the amount of this billing is true and correct and has not been previously claimed or paid; (d) credits, when applicable, for previous payments made by FHA have been given; (e) supporting detail records and work sheets together with a copy of this billing are being held in the mortgagee's files; and (f) upon request of any authorized official of the Department of Housing and Urban Development or of the Comptroller General of the United States, it will furnish or make available for audit all aforementioned documents as required by the interest reduction contract.										Date: _____	
Signature & Title of Payee Official: _____											
WARNING: Section 1010 of Title 18, U. S. C., "Federal Housing Administration transactions," provides: "Whoever, for the purpose of . . . influencing in any way the action of such Administration . . . makes, passes, utters, or publishes any statement, knowing the same to be false . . . shall be fined not more than \$5,000 or imprisoned not more than two years, or both."											
237653-1 HUD-Wash., D. C.											

APPENDIX 2

4530.1

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February 13, 1975

Mr. Frank Parker
Multifamily Housing Program Specialist
Room 6143
Department of Housing and Urban Development
Washington, D.C.

Re: Project No. 012-18-NI
Shore Hill
Brooklyn, New York

Dear Mr. Parker:

In accordance with our telephone conversation the following are the salient details with respect to your inquiry regarding the Shore Hill project.

The site for this project which is in the Bay Ridge section of Brooklyn was approved by the Project Approval Committee of this office on January 21, 1971 for development of a 22 story non-profit housing for the aging project having 650 units and sponsored by the Lutheran Medical Center which is a voluntary hospital in Brooklyn.

On May 4th the Planning Commission of the City of New York granted preliminary approval since the proposed Shore Hill project complied with all of the zoning laws and other criteria established by the Commission.

Following a public hearing on October 11, 1972, as required by the Private Housing Finance Law, the City Planning Commission approved the plan and project for a 22 story building with 650 units of non-profit housing for the aging. The matter was then referred to the Board of Estimate for our required local legislative body approval. On March 8, 1973 the Board of Estimate held a public hearing at which time a relative small minority objected to the height of the proposed building and both the sponsor and the Division recommended that the matter be referred back to the City Planning Commission.

MULTIFAMILY
UNDR. HUSING PROGRAM
STAFF-FTMS

FEB 19 1975

~~RECORDED~~

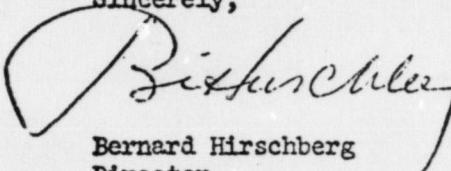
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After a number of meetings with the local planning board and the community, a compromise was worked out which provided for two 14 story buildings with 557 units separated by a connecting one story community building. This was approved unanimously by the City Planning Commission on January 2, 1974 and by the Board of Estimate on January 24, 1974.

A Section 236 interest subsidy contract was executed by the New York Area Office on November 26, 1974 after their prior approval of Form 3126, Preliminary Reservation of Contract Authority, and at all times the plans, configuration and financial arrangements for the Shore Hill project met the requirements of HUD under the Section 236 program. At no time did HUD or this office consider processing this project under any provisions of the National Housing Act of 1974.

Sincerely,

A handwritten signature in cursive ink, appearing to read "Bernard Hirschberg".

Bernard Hirschberg
Director
Project Coordination Bureau

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